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Wednesday
25th June, 1952

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Part I - Questions and Answers)

CONTENTS

Members Sworn [Cols. 2—18].

PARLIAMENT SECRETARIAT
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THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

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Wednesday, 25th June, 1952

The House met at a Quarter past Ten of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

MEDICAL STORES

*1143. **Sardar Hukam Singh:** Will the Minister of **Defence** be pleased to state:

(a) whether any and if so, what medical Stores items previously procured from foreign countries, were produced in our Ordnance Factories during the year 1951-52; and

(b) what was the value of such items newly produced here?

The Minister of Defence (Shri Gopalaswami): (a) None.

(b) Does not arise.

Sardar Hukam Singh: May I know whether we are manufacturing in these factories any special items which will probably be produced next year?

Shri Gopalaswami: We are now investigating the possibility of the manufacture of certain surgical instruments and hypodermic syringes. We have to wait for the results.

Sardar Hukam Singh: May I know whether there is any likelihood of the production in our Ordnance factories meeting our demands substantially in the near future?

Shri Gopalaswami: We have first to establish manufacturing in these factories. Then we shall be in a position to say whether we could manufacture enough to meet our requirements.

Shri M. S. Gurupadaswami: Is it a fact that student type microscopes are being produced in Dehra Dun Ordinance Factory?

Shri Gopalaswami: I know that certain microscopes are produced in a particular Ordnance factory, but I am not in a position to say whether they are a student type.

AUDIO-VISUAL EDUCATION

*1144. **Sardar Hukam Singh:** Will the Minister of **Education** be pleased to state:

(a) whether Professor T. T. Green, expert on Audio-visual Education made any concrete proposals or suggestions during his visit to India; and

(b) if so, what were these proposals or suggestions?

The Parliamentary Secretary to the Minister of Education and Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes.

(b) A statement giving the necessary information is placed below.

STATEMENT

The scheme visualized an Evaluation programme, a Training programme and a Production programme. Under the Evaluation programme, a survey of attitudes and requirements is recommended in order to determine what type of audio-visual aids would be most useful to our children in school education and adults in social education. Under the Training programme, it is suggested that short term courses for training teachers, Inspecting officers, and other personnel engaged in the field of audio-visual education in the States be arranged by the Government of India. These trained officers are later to organize similar programmes in their respective areas. Under the Production programme it is proposed that a pilot scheme to produce various types of audio-visual aids be undertaken by the Central Government. Emphasis in this scheme is to be laid on such apparatus as can be produced economically out of locally available material by the teachers and students themselves.

It is suggested in the scheme that this programme be taken up by the Government of India in co-operation with U.N.E.S.C.O.

Sardar Hukam Singh: May I know whether any scheme was prepared by the Professor?

منسٹر آف ایجوکیشن اینڈ نیچرل
ریسورسز اینڈ سائنٹیفک ریسرچ (مولانا آزاد):
مہربانی کرکے اسٹیٹمینٹ دیکھ لیجئے -

[**The Minister of Education and Natural Resources and Scientific Research (Maulana Azad):** Please see the statement.]

Sardar Hukam Singh: May I know whether any advantage was taken of his visit by the States also?

Shri K. D. Malaviya: The scheme has been prepared and certain recommendations have been made. Though the recommendations have been considered by the Government, the U.N.E.S.C.O. are not able to make the services of Professor Green available to us. An alternative proposal has been made by U.N.E.S.C.O. and that proposal is under the consideration of the Government.

Sardar Hukam Singh: May I know whether the expenses of his visit were borne by us or by the U.N.E.S.C.O.?

Shri K. D. Malaviya: By the U.N.E.S.C.O.

Shri Velayudhan: May I know the number of audio-visual centres in India?

Shri K. D. Malaviya: None.

SPECIAL TRIBUNALS

***1145. Sardar Hukam Singh:** Will the Minister of **Law** be pleased to state:

(a) whether all special Tribunals, constituted under the Criminal Law Amendment Ordinance to try cases of bribery and corruption, have ceased to exist; and

(b) if not, what cases are still being tried by them?

The Minister of Law and Minority Affairs (Shri Biswas): (a) No, Sir. The East Punjab Special Tribunal, Simla, still exists.

(b) A list of cases pending before the Tribunal is laid on the Table of the House. [*See* Appendix VI, annexure No. 1.]

Sardar Hukam Singh: May I know the number of cases that is pending with the East Punjab Tribunal?

Shri Biswas: The number of different categories of pending cases is twenty-six. Cases which have been compounded but are still pending for some reason or other is twelve. The next is remand cases and they are ten in number, remanded by the High Court on appeal for examination of witnesses on commission abroad. Then there are four other pending cases.

Sardar Hukam Singh: May I know whether any special or new cases are being entrusted to it or would it be wound up after it disposes of the existing cases?

Shri Biswas: The Tribunal is expected to finish its work in October, 1952. No new cases have been entrusted to it this year.

Sardar Hukam Singh: May I know whether there was any decision by the High Court or the Supreme Court on cases which had already been decided by this Tribunal?

Shri Biswas: There were some cases which had been taken to the High Court and there was an order for remand for the further examination of witnesses on Commission. That is about all. It is very difficult to say whether in future appeals there will be similar remands. The position would then have to be considered.

Sardar Hukam Singh: May I know whether any fresh appeal was made when the sole judge died in December?

Shri Biswas: The cases were originally filed in the Court of Pandit Chand Narain, Special Magistrate, appointed at Delhi and at Lahore in June, 1945 and the cases were allotted for trial to the three Special Tribunals, Lahore. The District and Sessions Judge, Ambala is dealing with all these cases now.

HIGHER TECHNICAL INSTITUTES

***1146. Shri S. C. Samanta:** Will the Minister of **Education** be pleased to state:

(a) whether the sites for the three other Higher Technical Institutes in India have been finally selected; and

(b) the sum spent up-to-date in connection with these Institutes?

The Parliamentary Secretary to the Minister of Education and Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) No.

(b) Nil.

श्री एस० सी० सामन्त : क्या मैं माननीय मंत्री से जान सकता हूं कि इन इंस्टीट्यूटस को खोलने का इरादा गवर्नमेंट का है या नहीं ?

श्री के० डी० मालवीय : जी हां, इरादा तो है, लेकिन मामला इस वक्त भी ज़ेर गौर है ।

منسٹر آف ایجوکیشن اینڈ نیچرل ریسورسز اینڈ سائنٹیفک ریسرچ (مولانا آزاد): ارادہ تو ہے بشرطیکہ روپیہ کا سامان ہو-

[**The Minister of Education and Natural Resources and Scientific Research (Maulana Azad):** Yes, this is intended provided we have sufficient finances.]

श्री एस० सी० सामन्त : क्या यह बात सच है कि गवर्नमेंट ने जो चार इंस्टीट्यूट्स खोलने का निश्चय किया है, और क्या इन के खुल जाने के बाद अपने स्टूडेन्ट्स को हायर टैक्निकल ऐज्यूकेशन प्राप्त करने के लिये बाहर भेजने की आवश्यकता नहीं होगी ?

مولانا آزاد : ہاں ہمیں ایسی ہی امید ہے - ابھی صرف کھڑک پور انسٹی ٹیوٹ کھلا ہے - اس کے بعد اسٹوڈینٹس کو ٹیکنیکل ایجوکیشن کے لئے باہر بھیجنے کی بہت کم ضرورت رہ جائیگی-

[**Maulana Azad:** Yes, we hope so. Only the Kharakpur Institute has been opened as yet. After that there would be little necessity of sending students abroad.]

Shri T. S. A. Chettiar: May I know whether the Government has any definite programme as to in how many years these higher technical institutions will be established in the South?

Shri K. D. Malaviya: There is no decision on the part of the Government to complete the establishment of these institutes in the near future.

Shri B. Shiva Rao: May I ask especially in view of the financial stringency pleaded by the hon. Minister whether a special note be taken of the fact that there are non-official institutions imparting higher technical education in some parts of the country?

مولانا آزاد : ۱۷ انسٹی ٹیوشنس کو گورنمنٹ مدد دے رہی ہے -

[**Maulana Azad:** The Government are giving financial help to seventeen institutions.]

श्री एस० सी० सामन्त : क्या मैं जान सकता हूं कि प्राविजनली कोई साइट सेलेक्ट हुई है ?

مولانا آزاد : ہاں - بمبئی کے ایک سائٹ پر غور کیا جا رہا ہے -

[**Maulana Azad:** Yes. One of the sites in Bombay is under consideration.]

Shri Punnoose: May I know the number of students receiving higher technical education in Government institutions at present?

Shri K. D. Malaviya: I would require notice.

INTERNATIONAL STATISTICAL EDUCATION CENTRE, CALCUTTA

***1147. Shri S. C. Samanta:** Will the Minister of **Finance** be pleased to state:

(a) how many foreign as well as Indian students are receiving training in the International Statistical Education Centre in Calcutta;

(b) whether it is a fact that some of the trainees of the institute visited the homes of radio owners in Calcutta and asked their opinion of Indian and foreign radio programmes;

(c) if so, what are their findings and reactions; and

(d) the names of countries from which students have come to join the Institute?

The Minister of Finance (Shri C. D. Deshmukh): (a) The total number of trainees in the present term (January-July, 1952) is 40, out of which 28 are from foreign countries and 12 from India.

(b) Yes, the trainees visited radio owners and collected the statistical data as part of their training in practical field work.

(c) The data collected are being computed and analysed and the findings of the investigation have not yet become available.

(d) The names of countries from which students have come together with the number in each case, are as follows:

Country	No. of trainees
Burma	3
Japan	1
Cambodia	1
Malaya	1
Thailand	4
Philippines	6
Indonesia	2
Ceylon	2
Iraq	1
Afghanistan	1
Pakistan	6
India	12
	40

Shri S. C. Samanta. May I know how the expenditure of this Institute was met?

Shri C. D. Deshmukh: It is run under the auspices of the UNESCO and gets a grant for the purpose.

Shri S. C. Samanta: May I know if the Government of India has to subscribe something for it?

Shri C. D. Deshmukh: We have given a few scholarships.

Shri S. C. Samanta: May I know who settles the quota of foreign students?

Shri C. D. Deshmukh: The authorities of the Institute settle it and it depends on the number of applications.

Shri S. C. Samanta: May I know whether those applications are considered by the UNESCO?

Shri C. D. Deshmukh: No. They are considered by the authority of the Institute. It is run jointly by the International Statistical Institute and the Indian Statistical Institute, Calcutta.

Shrimati A. Kale: May I know whether there are any girls taking this training?

Shri C. D. Deshmukh: I would like to have notice of the question.

Shri S. C. Samanta: May I know the action taken by this Institute towards the 27th Session of the International Institute of Statistics that was held in Calcutta and Delhi during December, 1950 and January, 1951?

Shri C. D. Deshmukh: No specific action was taken.

CALCUTTA NATIONAL BANK

***1148. Shri A. C. Guha:** Will the Minister of Finance be pleased to refer to the reply to unstarred question No. 23 asked on the 9th August 1951 and state:

(a) the position of the Calcutta National Bank after its closure;

(b) who is now looking after the assets and affairs of the Bank and with what remuneration;

(c) whether any amount has been realised and whether any dividend has been paid to the creditors;

(d) what is the monthly expenditure now being incurred for managing the affairs of the Bank and the break-up thereof;

(e) whether there has been any merger proposal and if so, at what stage that is now; and

(f) what are the assets and liabilities of the Bank?

The Minister of Finance (Shri C. D. Deshmukh): This is a very long reply; I must apologise in advance. (a) and (e). The Calcutta National Bank Ltd. suspended payment on the 14th May 1951 and, on an application made by it, the Calcutta High Court granted to it moratorium from time to time till the 3rd September 1951. While extending the initial period of moratorium, the High Court passed orders appointing Mr. P. C. Chowdhury, retired Accountant-General, West Bengal, as Special Officer to take charge of the assets of the bank. At the hearing of an application for an extension of the moratorium on the 3rd September 1951, a petition for winding up the bank was presented and was admitted by the Court. In the meantime, there were persistent demands from the depositors of the bank for its amalgamation or merger with any other bank of good repute. Certain proposals for a scheme of arrangement were made by the Bank of Jaipur and the scheme of arrangement with certain modifications was sanctioned by the High Court on the 11th February 1952 and the petition for winding up was dismissed.

(b) Under the Scheme of arrangement sanctioned by the High Court, the Bank of Jaipur Ltd. has been constituted as agent of the Calcutta National Bank Ltd. to realise and distribute the assets of the bank on a commission of 2 per cent. on all the assets of the bank that may be realised. The Special Officer is to continue in office, till 33-1/3 per cent. is paid to the unsecured creditors, on a remuneration of Rs. 750 per month to be paid out of the assets of the bank. In accordance with clauses 8 and 9 of the scheme, a Central Committee of Management at Calcutta and two Zonal Committees, one at Allahabad and the other at Bombay, have been constituted. The Committee of Management is to give directions to the Agents in the matter of realisation and distribution of the assets of the bank while the function of the Zonal Committee is to advise and assist the Committee of Management in its work.

(c) No information is available as to whether any amount has been realised. No dividend has so far been paid to the creditors.

(d) No information is available with Government.

(f) According to the weekly return submitted under Section 42(2) of the Reserve Bank of India Act, the assets and liabilities of the bank as on 11th April 1952 were as follows:—

Liabilities

	Rs.
Demand Liabilities in India .	1,63,53,000
Time Liabilities in India .	57,41,000
TOTAL .	2,20,94,000

Assets

	Rs.
Cash in India . .	2,51,000
Balance with banks in India .	16,96,000
Investments . . .	12,79,000
Advances in India . .	1,75,89,000
Bills . . .	4,000
TOTAL .	2,08,19,000

Shri A. C. Guha: May I know the reason why, while the Jaipur Bank has been appointed to make collections, the Special Officer is still allowed to continue? What are his functions?

Mr. Speaker: I think I shall have to restrict the supplementary questions on this question. This is a matter governed, I believe, by the orders of the Calcutta High Court and I believe the Jaipur Bank arrangement was approved of by the High Court. Is that not so?

Shri C. D. Deshmukh: That is so.

Mr. Speaker: This is a matter, naturally, within the jurisdiction of the High Court. He can ask for any information if he wants, but not the reasons or go into merits.

Shri A. C. Guha: Of the assets, I think 1,75,00,000, the last figure, is for investments. May I know if the Chairman of the Bank is connected with any of the concerns in which that amount had been invested?

Shri C. D. Deshmukh: I think the hon. Member has got hold of the wrong figure. The investments are Rs. 12,79,000; Advances in India Rs. 1,75,89,000.

Shri A. C. Guha: Investments and advances come practically to the same thing.

Mr. Speaker: Order, order.

Shri A. C. Guha: May I know whether the Chairman of the Bank who was practically the head executive officer had anything to do with the concerns which had got these advances or investments from the Bank?

Shri C. D. Deshmukh: I have no information.

Shri A. C. Guha: May I know the duties and functions of the Special Officer?

Mr. Speaker: Order, order. We will go to the next question.

Shri H. N. Mukerjee: May I ask a question, Sir?

Mr. Speaker: These questions, let me speak my mind to the hon. Member, are more or less individual questions. I admitted the question because it related to certain financial information and perhaps there was recently, two years ago, I believe, some banking crisis or some kind of financial stringency, in Bengal, and a large number of banks went into liquidation. Am I correct?

Shri A. C. Guha: Yes.

Mr. Speaker: Therefore, I thought it proper for Government to get and give information. Then, this is not the responsibility of the Central Government at all. It is a matter of contract between the parties and this is a matter under the jurisdiction of the High Court. In view of the liquidation proceedings which they have dropped, I understand that a scheme of arrangement has been sanctioned and business is being conducted according to the scheme of arrangement sanctioned by the High Court. Am I right?

Shri C. D. Deshmukh: That is right. The only connection of the Reserve Bank is that a certificate has to be issued by the Reserve Bank under section 45 of the Banking Companies Act in regard to any scheme that is formulated. That has already been done.

Mr. Speaker: I feel that the hon. Member is going into individual responsibilities which, perhaps or very probably, will be matters which would be investigated into by the High Court in case a petition is made to the High Court. That seems to be the position.

Shri A. C. Guha: Any scheme sanctioned by the High Court must have the previous sanction of the Reserve Bank also. The Reserve Bank and thus the Government of India cannot be entirely absolved of the responsibility in this matter.

Mr. Speaker: That is his argument; but that is not my view.

Shri A. C. Guha: I think the Finance Minister has also admitted that.

Mr. Speaker: His admission won't avail here. Whatever is my view must prevail.

Shri H. N. Mukerjee: May I ask whether the Reserve Bank of India has made a specific report in regard to the affairs of this Bank and if so, what steps Government intend to take on the basis of those recommendations of the Reserve Bank?

Shri C. D. Deshmukh: There is no stage of making a report to the High Court. As I said, under section 45 of the Banking Companies Act, the Reserve Bank has to issue a certificate before a scheme is adopted by the High Court. Whether you call it a report or anything else is another matter. That is really a certificate in terms of the law.

Shri H. N. Mukerjee: My question related...

Mr. Speaker: We will go to the next question.

DARJEELING BANK

***1149. Shri A. C. Guha:** Will the Minister of Finance be pleased to state:

(a) whether any liquidator was appointed for the Darjeeling Bank after its closure;

(b) if so, on what date and how far he has proceeded with the work of liquidation;

(c) whether any amount has since been realised and any dividend paid to the creditors; and

(d) what were the assets and liabilities of the Bank at the time of its closure?

The Minister of Finance (Shri C. D. Deshmukh): (a) to (c). On a petition being made to the Calcutta High Court by a creditor in February 1948 for the winding up of the Darjeeling Bank Ltd., the Court appointed a Provisional Liquidator and issued final orders for winding up the bank on the 5th April, 1948, appointing Mr. R. Singhee as its Official Liquidator. He was however discharged later and, in his place, the Official Receiver of the Court was appointed as the Official Liquidator by an order of the Calcutta High Court dated the 8th May, 1950. Government are not in a position to give information on the progress of liquidation work.

(d) Government have no information.

Shri A. C. Guha: May I know why the original liquidator was discharged, if the Government has any information?

Shri C. D. Deshmukh: Government has no information on the point.

Shri A. C. Guha: May I know if any dividend has been paid to the depositors?

Shri C. D. Deshmukh: I should like to have notice.

SCHOLARSHIP BOARD

***1150. Shri B. R. Bhagat:** Will the Minister of Education be pleased to state:

(a) whether the Scholarship Board for the Scheduled Castes, Scheduled Tribes and other Backward Classes students has been constituted for the year 1952-53;

(b) if so, what is the personnel of the Board; and

(c) the amount sanctioned for Scholarship in the current year?

The Parliamentary Secretary to the Minister of Education and Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes, Sir.

(b) The personnel of the Board for the year 1952-53 is as under:—

Chairman:

Secretary and Educational Adviser to the Government of India.

Members:

(1) Shrimati Ganga Devi, M.P.

(2) Shri Jaipal Singh, M.P.

(3) Shri M. V. Gangadhara Siva, M.P.

(4) Dr. Panjabrao Deshmukh, M.P.

(5) Shri Upendra Nath Barman, M.P.

(6) Shri Laxmidas Shrikant. Commissioner for Scheduled Castes and Scheduled Tribes.

(7) Diwan Anand Kumar, Vice-Chancellor, Punjab University.

(8) Shri K. S. Shivam, Working Secretary, Harijan Sevak Sangh, Delhi.

(9) Shri D. Rangaiya, Working Secretary, Bharatiya Adimjati Sevak Sangh, Delhi.

(10) Shri M. S. Bhatnagar, Joint Secretary, Ministry of Finance.

(11) Deputy Educational Adviser (Scholarships).

(12) Dr. C. V. Ramchandani, Assistant Director General of Health Services.

Secretary:

Assistant Educational Adviser (Scholarships).

(c) Rs. 17,50,000.

Shri B. R. Bhagat: In view of the fact, Sir, that out of 12 Members of the Board, there is only one member of the backward classes, will the Government consider the feasibility of giving more representation to the backward classes?

Shri K. D. Malaviya: I am afraid, Sir, as out of these five representations have already gone to Members of Parliament, no more representations can be given to the backward classes.

Shri B. R. Bhagat: May I know, Sir, the basis on which the Board has been constituted?

Shri K. D. Malaviya: The Board is constituted by the Ministry on the recommendations of the Minister for Parliamentary Affairs.

Shri B. R. Bhagat: May I know, Sir, whether a representation has been made that instead of five non-official representatives taken at random, the Board should be constituted from the Members of Parliament, and if so, what action has been taken?

Shri K. D. Malaviya: No. The Board has recently met and has recommended to the Government to confine its representation to Members of the Parliament. That is a matter which is under the consideration of Government.

Shrimati Renu Chakravartty: May I know, Sir, how many have received scholarships from Bengal, and for what studies?

Shri K. D. Malaviya: I will require notice for that.

Shri Velayudhan: May I know, Sir, whether this Scholarship Board is constituted yearly, or whether it will last for more than that?

Shri K. D. Malaviya: It is constituted yearly.

Shri Raghavaiah: May I know whether there is any proposal to increase the amount of scholarship for the Scheduled Castes in case the number of applications increase?

Shri K. D. Malaviya: If it is considered by the Government that the amount allotted is inadequate, Government will certainly sympathetically consider the question of increasing the amount.

Shri B. S. Murthy: Is it a fact, Sir, that the amount of scholarship money being given to the Scheduled Castes is being decreased, and if so, what are the reasons?

Shri K. D. Malaviya: It has not decreased; rather it has increased.

Shri Achuthan: May I know whether any percentage has been fixed in awarding scholarships to scheduled castes, scheduled tribes and backward classes?

Shri K. D. Malaviya: The allotment made of the amount available for 1952/53 is as follows: Total Rs. 17·5 lakhs. Scheduled Castes—Rs. 8,75,000; Scheduled Tribes—Rs. 3,50,000; Backward Classes—Rs. 5,75,000.

श्री गणपति राम : क्या माननीय मंत्री महोदय जी से में यह पूछ सकता हूं कि उत्तर प्रदेश से इस बोर्ड में कितने मेम्बर हैं तथा शिड्यूल्ड कास्ट्स को स्कालरशिप कितन शिफ्ट में दिये जाते हैं ?

श्री के० डी० मालवीय : यह सदस्यता प्रान्तों या स्टेटों के प्रतिनिधित्व पर निर्भर नहीं है और स्कालरशिप्स का बंटवारा भी कोई क्षेत्र के ऊपर निर्भर नहीं है ।

श्री गणपति राम : मेरे पूछने का मतलब यह था कि स्कालरशिप्स कितने शिफ्टों में दिये जाते हैं ।

Mr. Speaker: Order, order.

BIKRAM AERODROME

*1151. **Shri B. R. Bhagat:** Will the Minister of **Defence** be pleased to state:

(a) whether all the lands requisitioned for the construction of Bikram Aerodrome (Patna) during the War have been returned to the owners;

(b) if not, how much of the lands are still to be returned;

(c) whether and when they will be returned;

(d) whether all compensations due for the period of the requisition of all the lands have been paid back;

(e) if not, the amount yet to be paid; and

(f) whether and when the balance will be paid?

The Minister of Defence (Shri Gopalaswami): (a) to (c). An area of 1,028·27 acres of land was requisitioned during the war for the construction of Bikram Aerodrome. Of this an area of 107·32 acres only is being permanently acquired and the rest of the area is being released.

(d) Yes.

(e) and (f). Do not arise.

Shri B. R. Bhagat: I could not follow the answer of what amounts are yet to be realised?

Shri Gopalaswami: Well, Sir, this is not a history. We wanted only 107·32 acres as permanently acquired. By some mistake the State Government notified the entire land for acquisition and compensation has been awarded for the entire land. The mistake has been pointed out to the State Government and the area that has got to be re-conveyed to the rightful owners is being determined and certain details relating to this transaction are yet under enquiry.

Shri B. R. Bhagat: Do the details under enquiry include the compensation to be paid?

Shri Gopalaswami: Compensation has been determined by the High Court after the parties, when the appeal to the District Court failed, went to the High Court. But the compensation is for the entire land. We have got to withdraw from the acquisition of the largest part of this land, and there has been compensation determined also for the period during which these lands were under requisition and had not been acquired. That compensation has been paid in full.

Shri Bogawat: May I know, Sir, the amount of compensation paid?

Shri Gopalaswami: The total amount of compensation awarded for acquisition is about Rs. sixteen lakhs. As I have said, the matter of re-conveying the larger part of this land to the owners is now under correspondence with the State Government, but for the period during which the lands were under requisition, Rs. 4,01,912 has been paid as compensation.

INDIA'S CLAIMS ON PAKISTAN

*1152. **Shri L. N. Mishra:** (a) Will the Minister of Defence be pleased to state whether it is a fact that India's claims on Pakistan under certain heads still await settlement; and

(b) If so, what is the actual amount standing against each of the unsettled heads and what steps have Government taken or propose to take for payment on the part of Pakistan?

The Minister of Defence (Shri Gopalaswami): (a) Yes, Sir.

(b) The amounts are still under discussion with Pakistan.

Shri L. N. Mishra: Is there agreement between the two parties or any dispute about the amount itself?

Shri Gopalaswami: There is a dispute, and a conference is to be held between the representatives of the two Governments in order to determine the amounts.

Shri L. N. Mishra: Will it be on a Ministerial or an official level?

Shri Gopalaswami : We have recently asked Pakistan that this conference should be held at the official level in the first instance.

UNION TAXES

*1153. **Shri K. C. Sodhia:** Will the Minister of Finance be pleased to state what steps, if any, have been taken for the imposition of Union taxes in Part 'A' and 'B' states?

The Minister of State for Finance (Shri Tyagi) : Customs and Central Excise Duties: By virtue of Article 289(2) of the Constitution the Sea Customs Act, 1878, and the Central Excises and Salt Act, 1944, were amended to provide for: (a) the levy of customs duty in respect of goods belonging to a Part A or a Part B State and used for the purposes of a trade or business of ony kind carried on by or on behalf of, the Government or of any operations connected with such trade or business as they apply in respect of goods not belonging to any Government, and (b) the levy of Central Excise duty in respect of all excisable goods other than Salt which are produced or manufactured in India by, or on behalf of, the Government of a Part A or Part B State and used for the purposes of trade or business of any kind carried on by, or on behalf of, that Government or of any operations connected with such trade or business as they apply in respect of goods which are not produced or manufactured by any Government. Income-tax: No steps have so far been taken, but the matter is under examination of Government.

Shri K. C. Sodhia: What was the amount of tax realised during 1952 so far under the heads mentioned by the hon. Minister?

Shri Tyagi: Approximately Rupees five lakhs was realised by way of excise duty on the State undertakings.

RESERVE BANK OF INDIA BUILDING

***1154. Shri M. L. Dwivedi:** Will the Minister of Finance be pleased to state:

(a) the progress made since March, 1951 towards the starting of the construction work of the proposed Reserve Bank of India building in Delhi;

(b) whether the quantity surveyor has submitted his bill of quantities preliminary to inviting of tenders;

(c) the reasons for the delay in the procurement of special steel which is a condition precedent to taking up in hand the excavation for the basement of the building; and

(d) whether estimated cost of the building remains the same or is likely to undergo change in view of the fluctuations in prices?

The Minister of State for Finance (Shri Tyagi): (a) and (b). Since March, 1951, the Architects have completed the working drawings and forwarded them to the Municipality which has given its approval. The Reinforced Cement Concrete Specialist has also completed the R.C.C. drawings. On the basis of these drawings, the Quantity Surveyor has worked out the bill of quantities and a notice calling for tenders for the general building work has already been published in the leading newspapers. The last date for receiving the above tenders has been fixed as 15th July 1952. A contract for the fabrication of the steel vaults has already been placed.

(c) A quota certificate for 1,180 tons of special steel for the period April/June 1952 has been received and steps have been taken to place orders on producers with instructions to supply the materials on highest priority. The delay in placing the indent for the special steel was due to the fact that it was considered necessary to wait till the contract for the fabrication of the vaults had been finalised.

(d) The estimate of the cost of the building is being worked out by the Quantity Surveyor but it is too early to say how the cost will compare with the earlier estimated cost.

Shri M. L. Dwivedi: May I know whether the exacavation work in the basement has been taken up?

Shri Tyagi: The construction has not commenced.

Shri M. L. Dwivedi: May I know the time likely to be taken when the building will be completely ready?

The Minister of Finance (Shri C. D. Deshmukh): We have no information.

POST-WAR U.S. AID

***1155. Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Finance be pleased to state what is the amount received by India in the year 1951-52 under the Post-War U.S. Aid?

(b) What is the condition attached for its utilisation?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). India received a loan of $190 million for the purchase of two million tons of wheat. The local funds obtained by the sale of American loan wheat are being loaned to the Governments of the States for financing development schemes. As the Member will have observed from the Loan Agreement which was presented to the Parliament on the 22nd August, 1951, no conditions have been attached for its utilisation.

Pandit Munishwar Datt Upadhyay: May I know how this amount is determined, whether any scheme is submitted by the country, or how the demand is made?

Shri C. D. Deshmukh: It was determined with reference to our own requirements of food primarily.

Pandit Munishwar Datt Upadhyay: May I know whether the aid is always in cash or sometimes in kind?

Shri C. D. Deshmukh: It is not an aid, it is a loan, for purchasing the wheat in the United States of America.

Shri H. N. Mukerjee: Will the hon. the Minister kindly say why it is necessary to give diplomatic immunity to field workers who work under the Indo-U.S. technical agreement?

Shri C. D. Deshmukh: It does not arise out of this particular question, because there are no conditions in regard to this particular loan.

Shri H. N. Mukerjee: Is it a fact that diplomatic immunity is really given in the case of American personnel who work under this agreement?

Shri C. D. Deshmukh: I shall be prepared to answer this question, but it does not arise out of this particular question.

Mr. Speaker: The hon. Member's question is with reference to the American personnel employed under this scheme.

Shri C. D. Deshmukh: There is no scheme, Sir. We have purchased wheat, and we lent the money got by sale of this wheat, to our own State Governments.

Pandit Munishwar Datt Upadhyay: How has this amount been distributed Statewise?

Shri C. D. Deshmukh: That obviously requires notice.

Shri Barman: May I know the actual value of the sale proceeds of the loan wheat?

Shri C. D. Deshmukh: I think the statement has already been made in the course of the Budget discussions. The actual recovery in rupees would be about Rs. twenty crores less than the rupee equivalent of the loan.

Shri B. S. Murthy: What is the rate of interest, and the period agreed to, for the repayment?

Shri C. D. Deshmukh: The rate of interest is 2½ per cent., and the period of repayment is 30 years beginning from June 30th, 1957.

TERRITORIAL ARMY

***1156. Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Defence be pleased to state what is the increase in the Territorial Army since August, 1947?

(b) What are the main difficulties in the recruitment of the Territorial Army and what steps have been taken to remove them?

(c) What is the expenditure per year per head of an ordinary soldier in the Territorial Army and how does it compare with the expenditure on a soldier of a regular army?

The Minister of Defence (Shri Gopalaswami): (a) Recruitment to the Territorial Army commenced only in August 1949. It is not in the public interest to divulge the figures of recruitment.

(b) Our main difficulties in recruitment to the Territorial Army arise from the fact that—

(1) a very large number of the people who wish to join are desirous of being taken in on a whole-time basis whereas the Territorial Army is designed only for part-time service;

(2) those who have other regular employment are apprehensive of

(i) having to face a substantial drop in their emoluments if they are called up for whole-time service for then they would receive payment with reference to the duties they will be performing in the Army in accordance with the Army scales of pay, and

(ii) their liens on their civil appointments being lost in the event of their being called up for Army service in an emergency for a prolonged period.

There is no solution for the first of these difficulties. Such applicants must come in for recruitment to the regular Army. The problem of retaining the lien has been solved by amending the Territorial Army Act during the last session of Parliament by which it has been made obligatory on the civil employer to retain an employee's lien when he is called up for service in the Territorial Army. The other difficulty of the difference between the civilian earnings and the Army rates of pay is one which can be surmounted only if the employers are prepared, as a matter of public service, to make good the difference between the civilian rates of pay and the Army rates of pay. So far as the Central and the State Governments are concerned, this liability has been accepted. It is to be hoped that private employers will follow suit to the maximum extent possible.

(c) It would not be in the public interest to disclose this information.

Pandit Munishwar Datt Upadhyay: What is the percentage of men that is being maintained in regular payment in that army? Otherwise, the people come only for a particular period, and then go away.

Shri Gopalaswami: I do not know what exactly the hon. Member means. Obviously the answer to that question will also not be in the public interest.

Pandit Munishwar Datt Upadhyay: Is there any section of technicians in this Territorial Army, if so, what is the strength?

Shri Gopalaswami: There are technical units to which recruitment is made.

Shri Venkataraman: Has it come to the knowledge of the Government that some of the private employers have refused to take back those employees who had offered themselves for service in the Territorial Army, after their services were over in the same?

Shri Gopalaswami: That, perhaps, is so. It is only for the purpose of preventing that, that we passed an amendment to the Act, that their lien should be retained in private service.

Shri Venkataraman: How many such cases have come to the knowledge of the Government?

Shri Gopalaswami: I am afraid, I must ask for notice.

Shri P. T. Chacko: May I know whether the Territorial Army is liable to be called out in aid of civil power and if so whether any such requests have been made by any States?

Shri Gopalaswami: It is certainly liable to be called up, if the necessity arises for doing so. But I am not in a position to say how many States had asked for the assistance of this force.

Shri Damodara Menon: May I know whether the Government have made any attempt to persuade the private employers to make good the loss of pay the employees are likely to suffer when they are called off to Territorial Army service?

Shri Gopalaswami: We have appealed to them to accept that liability.

Shri K. Subrahmanyam: What is the proportion of officers of all grades, to the soldiers in the Territorial Army?

Shri Gopalaswami: I am afraid I must ask for notice.

FOREIGN INTERESTS IN INDUSTRIES

***1157. Shri V. P. Nayar: Will the Minister of Finance be pleased to state:**

(a) the percentage of foreign interests in Public Limited Companies in:

(i) jute industry in India;

(ii) Tea Estates in India; and

(iii) Coal Industries in India; and

(b) the foreign interests in the industries referred to in sub-parts (i), (ii) and (iii) above in proprietory and partnership firms?

The Minister of State for Finance (Shri Tyagi): (a) Information is not available separately as to public limited companies. Total foreign investment in all limited companies (including private limited companies) incorporated in India and abroad has been roughly estimated, on the basis of figures of paid-up capital as in 1948, at 24·4 per cent. for the jute industry, 74·7 per cent. for tea estates and 13·1 per cent. for the coal industry.

(b) Percentage figures cannot be given in the absence of information as to total capital in Indian proprietory and partnership firms but on the 30th June 1948 foreign interest in such firms was Rs. 8·45 lakhs in the tea industry and there was no foreign interest in such firms in the jute and coal industries.

Shri V. P. Nayar: Do the figures given include foreign investments in managing agencies also?

The Minister of Finance (Shri C. D. Deshmukh): To the extent to which they are limited companies, Sir; not otherwise.

Shri V. P. Nayar: Is it a fact that almost all the high grade coal industry is controlled by foreigners?

Shri Tyagi: I have no detailed information, Sir.

Shri A. C. Guha: The hon. Minister has given figures for 1948. Has there been any change since then?

Shri Tyagi: There must have been some change; we have no information. The figures on which I am depending are the old figures.

Shri K. Subrahmanyam: May I know, Sir, whether it is proposed to acquire these interests against our sterling balances locked up in Britain?

Shri C. D. Deshmukh: There is not enough sterling balances locked up to purchase these things now.

Shri H. N. Mukerjee: Is it usual for Government to supply figures for 1948 when questions are asked in 1952?

Mr. Speaker: Order, order.

Shri C. D. Deshmukh: I have got a perfectly good reply to give, Sir. These censuses are conducted periodically. These figures of 1948 are based on a census of foreign investments conducted by the Reserve Bank, and if the hon. Member was sufficiently acquainted with the complexity of the task, he would agree that such censuses could not be carried out when questions were asked.

Shri B. S. Murthy: May I know, Sir, what steps have been proposed to be taken by the Government to discourage foreign investments?

Mr. Speaker: I think it is much beyond the question.

RADAR EQUIPMENT

***1161. Shri A. K. Gopalan:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that some Radar Equipment is under repair in the Ordnance Depots;

(b) whether it is a fact that British Officers removed some vital parts of these equipments just before they left; and

(c) whether it is a fact that those parts are yet to be replaced?

The Minister of Defence (Shri Gopalaswami): (a) Ordnance Depots do not carry out repairs, but radar equipment, like other equipment, may be under repairs in the workshops at any given time.

(b) No.

(c) Does not arise.

Shri A. K. Gopalan: May I know, Sir, what is the total value of the radar equipment bought and under what agreement?

Mr. Speaker: The hon. Member must be specific about the country and the period.

Shri A. K. Gopalan: From Britain for the past three years.

Mr. Speaker: Can he give the information?

Shri Gopalaswami: I am afraid I have not got the information. I can give him the estimated value of repairable radar equipment now held. If he would like to have that figure, it is 1·1 crores.

SCHOLARSHIPS FOR SCHEDULED CASTES

***1162. Shri Veeraswamy:** Will the Minister of **Education** be pleased to state what are the various courses for which Government of India Scholarships are being awarded to Scheduled Castes students?

The Parliamentary Secretary to the Minister of Education and Natural Resources and Scientific Research (Shri K. D. Malaviya): The hon. Member's attention is drawn to a statement laid on the Table of the House.

STATEMENT

(i) Medicine and allied subjects including Nursing.

(ii) Engineering and Architecture.

(iii) Agriculture, Forestry and Veterinary Science.

(iv) Technology.

(v) Science.

(vi) Education and Social Service.

(vii) Humanities, Social Science and Fine Arts.

(viii) Commerce.

(ix) Law and Library Science.

Shri Veeraswamy: May I know, Sir, whether the amount sanctioned by the Government for scholarships to Scheduled Caste students announced a few weeks ago is sufficient for the students when compared with the population of the Scheduled Castes and with the magnitude of the problem of illiteracy among the Scheduled Castes?

Mr. Speaker: He wants an opinion whether the amount of scholarships is commensurate with the population. That is a matter for opinion.

Shri B. S. Murthy: May I know, Sir, whether the amount of scholarship money given to individual students is decreased year after year?

Mr. Speaker: That question was put and I think it was answered............

Shri B. S. Murthy: That was not answered.

Shri K. D. Malaviya: The total amount has been increased, but in certain cases for certain obvious reasons, for instance of fees, a reduction has been made and there are specific reasons for it.

Shri Velayudhan: May I know what are those obvious reasons?

Shri K. D. Malaviya: I haven't got them just now.

DAMAGE TO SCULPTURES

***1163. Shri H. N. Mukerjee:** Will the Minister of **Education** be pleased to state whether it is a fact that the impact of sea-water is causing serious and continuous damage to the sculpture at Mahabalipuram, that there have been instances of avoidable damage by natural elements at Ellora and Konarak, and that many of the Ajanta Frescoes immediately require very special expert treatment if they are to be saved from destruction?

The Parliamentary Secretary to the Minister of Education and Natural Resources and Scientific Research (Shri K. D. Malaviya): The impact of sea-water threatens only the temple known as the Shore Temple at Mahabalipuram but not any pieces of sculpture. Steps have, however, been taken to check this threat, as far as possible.

The Government are not aware of any instances of avoidable damage by natural elements at Ellora and Konarak.

The paintings at Ajanta are frequently attended to by expert chemists.

Shri H. N. Mukerjee: Is it a fact, Sir, that there are cases of vandalism, specially at Ellora?

Shri K. D. Malaviya: I am not aware of it.

Shri H. N. Mukerjee: Do Government intend to appoint a special committee of experts to look after these matters, particularly because, on very authentic testimony, the sculptures at Ellora and Mahabalipuram are in great danger and the frescoes at Ajanta are also in jeopardy?

Shri K. D. Malaviya: As I said, Sir, from time to time steps have been taken by Government to see that the paintings at Ajanta are attended to. But as far as these big monuments are concerned, the general problem at all these places is the decay of masonry by sand-laden winds and other physical causes and the deleterious effects of these on monuments are there. So far we are not aware of any method by which to check them. We are consulting other countries also to find out if they have got any method by which to check them.

Shri H. N. Mukerjee: In view of recent advances in techniques do Government intend to remove the shore temple a further distance from the sea?

Mr. Speaker: I think he is making a suggestion.

Shri B. Das: Was there not an expert committee appointed a couple of years ago to give opinion on how the Konarak temple could be preserved from damage from sea breeze?

Shri K. D. Malaviya: I require notice for that.

Shri A. C. Guha: May I know, Sir, if the Government have any report that there has in recent times been a considerable deterioration to the Ajanta Frescoes?

Shri K. D. Malaviya: Government do not know of any specific damages that have been caused in Ajanta.

INDIAN BANKING COMPANIES ACT

***1164. Shri H. N. Mukerjee:** Will the Minister of **Finance** be pleased to state:

(a) whether there was any negligence on the part of the Reserve Bank of India in examining the account books of the Calcutta National Bank, Ltd., which suspended business under the direction of the Reserve Bank in May 1951; and

(b) whether Government contemplate to amend the existing Indian Banking Companies Act and the Reserve Bank of India Act in order to minimise the danger to the community of recurrent bank failures?

The Minister of Finance (Shri C. D. Deshmukh): (a) No. Sir. I may mention for the information of the hon. Member that the Calcutta National Bank Ltd. did not, as stated by him, suspend business under the direction of the Reserve Bank. The bank was merely prohibited from receiving fresh deposits and it suspended business of its own accord.

(b) In the opinion of Government the existence of the Indian Banking Companies Act and a greater sense of their own responsibilities on the part of bank managements already minimise the danger of any recurrent bank failures. No amendment of the Act to that end is necessary or contemplated.

Shri H. N. Mukerjee: Sir, in view of the fact that the arrangement regarding the amalgamation of the Calcutta National Bank with the Bank of Jaipur was due to the movement conducted by the employees and the Bank's depositors and not the supervisory powers of the Reserve Bank of India, which undoubtedly are there, would not Government reconsider the position just stated?

Shri C. D. Deshmukh: I do not know what the hon. Member means. The Bank was inspected because it had committed repeated defaults in maintaining the statutory balances as required under section 42 of the Reserve Bank of India Act, and, therefore, it was prohibited from receiving fresh deposits. Subsequently the matter went up before courts at the instance of some of the depositors. I do not see how it involves any amendment of the Act.

Shri H. N. Mukerjee: In view of the possibility that the interests of the depositors can be safeguarded very much better if instead of a bank being sent into liquidation some kind of arrangement can be directed by the Reserve Bank, would not the Government consider ways and means of ensuring that possibility?

Shri C. D. Deshmukh: That is not precluded by the present Act. In suitable cases the Reserve Bank does take the initiative in bringing about amalgamation. There is an instance in Bengal where that has been done.

Shri A. C. Guha: Has not the Reserve Bank any other discretionary powers to direct and control the management of a bank before giving that drastic direction to stop taking deposits?

Shri C. D. Deshmukh: I must refer the hon. Member to the Act itself.

MATCH AND PETROL EXCISE POOL FUNDS

***1167. Shri M. L. Dwivedi:** Will the Minister of **Finance** be pleased to state:

(a) the share of the State of Vindhya Pradesh in the Match and Petrol Excise Pool Funds of the years 1950-51 and 1951-52;

(b) the way in which these amounts have been utilised; and

(c) whether in the allocation of this Fund Vindhya Pradesh is still being treated as a former Indian State?

The Minister of State for Finance (Shri Tyagi): (a) As regards the Match Excise Pool Fund, the Honourable Member is, presumably, referring to the arrangement which existed between the Government of India and the former 'Indian States' for pooling and sharing the excise revenue from matches, collected within their respective jurisdictions through their individual excise administrations. That arrangement lapsed with effect from the 1st April 1950, on which date the Match Excise administration throughout India (except Jammu and Kashmir) was taken over by the Government of India as part of the scheme of integration of "federal" revenues. Nothing is, therefore, payable to the State of Vindhya Pradesh as the share of the "Indian States" from which this State was constituted, of the proceeds of the Match Excise duty in respect of the financial years 1950-51 and 1951-52.

Regarding the Petrol Excise Fund, the reference is, presumably, to the Central Road Fund, which is financed from Excise and Customs duties on petrol, and from which subventions to States are paid direct. The total amount allocated to the State of Vindhya Pradesh from the Central Road Fund during the years 1950-51 and 1951-52, is as follows:—

Year		Rs.
1950-51	...	89,191
1951-52	...	50,000 (on account)

The final figures for 1951-52 have not yet been worked out.

(b) (i) Does not arise so far as the Match Excise Pool Fund is concerned.

(ii) Regarding Central Road Fund, an estimate for Rs. 1,21,400 was sanctioned in April 1952 for metalling the Teonthar-Panwar-Dabhoura Road.

(c) No, Sir.

Shri M. L. Dwivedi: Which are the other Part B and Part C States to which payment is still being made under the Match Excise Fund?

Shri Tyagi: Payment on account of match excise is not being made to any State.

HALI SICCA CURRENCY

***1169. Shri T. B. Vittal Rao:** Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that Hali Sicca Currency of Hyderabad State would be demonetised from 1st April, 1953; and

(b) if so, what steps do Government propose to take to withdraw that currency from circulation?

The Minister of Finance (Shri C. D. Deshmukh): (a) The coins of all denominations and one rupee notes of the Hyderabad State will cease to be legal tender with effect from 1st April 1953. The currency notes of denomination other than one rupee issued under the Hyderabad Paper Currency Act can be demonetised when the Act is repealed.

(b) For facilitating the withdrawal of all denominations of Hyderabad Currency notes and coins the Reserve Bank of India have, under arrangements with the State Bank of Hyderabad, established currency chests at 26 centres in that State in addition to the two chests and small coins depots at the Imperial Bank of India, Hyderabad City and Secunderabad. The State currency is exchanged for Indian currency in these chests. After demonetisation, facilities will continue to be provided to the public until such time as is considered desirable for exchanging their holdings of the local currency with the Indian Currency at treasuries and sub-treasuries and other specified centres.

Shri Vittal Rao: May I know whether after demonetization the Hyderabad anna will break up into six pieces as at present in Hyderabad or into four as it is here?

Mr. Speaker: The question is, whether the same arrangement will continue as far as the Hyderabad anna is concerned or there will be some changes.

Shri C. D. Deshmukh: No, Sir. When it ceases to be legal tender, it will be replaced by the arrangements which are in force in the rest of the country.

Shri Velayudhan: What is the total loss incurred by the State due to demonetization, and is the Government of India paying any compensation?

Shri C. D. Deshmukh: I want notice of the question, if he means profits from the issue of currency and coinage.

SAVINGS DEPOSITS

***1170. Shri Jhulan Sinha:** Will the Minister of **Finance** be pleased to refer to the reply to starred question No. 415 asked on the 3rd June, 1952 and state:

(a) whether it is a fact that according to Government commitment interest on ten years Treasury Saving Deposits has to be paid half yearly; and

(b) whether it is a fact that payments of interests on ten years Treasury Savings deposits are not being made although the due dates have long passed?

The Minister of State for Finance (Shri Tyagi): (a) No, Sir. Interest on Ten Year Treasury Saving Deposits is payable annually on the completion of each period of twelve calendar months from the date of deposits.

(b) Instructions regarding payment of interest on these deposits were duly issued by the Reserve Bank of India to all Treasury Officers long before the first interest payment became due. Government have not received any complaint that these instructions have not been observed.

Shri Jhulan Sinha: May I know when the instructions were issued?

Shri Tyagi: The letter which my hon. friend probably refers to was issued by the Reserve Bank on 2nd January.

Mr. Speaker: Of what year?

Shri Tyagi: Every year.

CLAIMS IN RESPECT OF REQUISITIONED BUILDINGS

***1171. Shrimati Renu Chakravartty:** Will the Minister of **Defence** be pleased to state:

(a) if the Pre-partition Compensation Claims Committee has decided that claims of Indian citizens in respect of lands and buildings requisitioned by the Military authorities in 1942 and permanently acquired by Government in 1945 are a liability of the Government of Pakistan; and

(b) if so, the action taken or proposed to be taken for recovery of such claims?

The Minister of Defence (Shri Gopalaswami): (a) The Committee has reported that for purposes of its work it has proceeded on this basis. Their main reason for doing so appears to be that the properties in question form part of Pakistan; as the benefits arising out of their acquisition go to that Government, the liabilities should be met by that Government.

(b) Assuming the liability is that of Pakistan the individual claimants concerned must approach that Government for the payment of compensation which may be agreed upon between them for the land or property acquired.

Shrimati Renu Chakravartty: Is there any machinery of our Government through which we can recover this compensation from the Pakistan Government, or is it to be done entirely by the individuals concerned?

Shri Gopalaswami: It has to be done by the individuals concerned. When we are applied to, we shall use our good offices in getting Pakistan to honour the claims.

Short Notice Question and Answer

DISTRIBUTION OF SULPHUR FOR MANUFACTURE OF MATCHES

Shri B. S. Murthy: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any representation was recently received from the South Indian Match Manufacturers' Association regarding the supply of sulphur and wagons;

(b) if the answer to part (a) above be in the affirmative, the date and nature of the representation made;

(c) the action taken;

(d) the system and agency of distribution of sulphur to the match manufacturers in the South; and

(e) the facilities provided for match factories for bringing in raw materials and sending out finished goods?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) Two representations regarding supply of sulphur were received in the Ministry from the South Indian Swadeshi Match Manufacturers' Association. I believe the Hon. Member is referring to this Association.

No representation has been received regarding supply of wagons. Recently when I was in Madura, this Association made a personal representation to me both as regards sulphur and wagons.

(b) In their representations dated the 31st May 1952 and 2nd June 1952, the Association requested that as sulphur was not available with Messrs. Imperial Chemical Industries Ltd., Madras, order for release of sulphur in favour of I.C.I.'s representative at Sivakasi should be issued to enable him to purchase sulphur from any stockists at Bombay or Calcutta for distribution to match factories.

(c) A reasonable supply of sulphur was arranged for the I.C.I.'s representative at Sivakasi and the Association informed on 11th June 1952 that they should contact him.

(d) Any match factory seeking Government's assistance in obtaining sulphur is advised to obtain supplies to the extent the stock position permits, from an authorised dealer.

(e) No special facilities have been provided, as the industry did not bring to Government's notice any serious difficulty in regard to movement of raw materials and finished goods.

Shri B. S. Murthy: Is there any monopoly given to Messrs. Imperial Chemical Industries Ltd., Madras for distributing this sulphur, Sir?

Shri T. T. Krishnamachari: No, Sir.

Shri B. S. Murthy: Are these match manufacturers prevented from purchasing sulphur from elsewhere?

Shri T. T. Krishnamachari: Sir, the position is that imports of refined sulphur, which is what is needed by the match manufacturers, is not controlled and though it is imported by all importers on their own account, the distribution is controlled by Government and sometimes certain dealers are assigned certain areas and if there is any difficulty in the match manufacturers obtaining supplies from particular dealers, the Government arrange for those supplies from other stockists.

Shri B. S. Murthy: What prevents the Government from issuing permits to these match manufacturers to purchase the needed quantity of sulphur from other sources than only from the Imperial Chemical Industries Ltd.?

Shri T. T. Krishnamachari: I have said, Sir, that the Imperial Chemical Industry have no monopoly. Now Parry and Co. in Madras have imported about 100 tons of sulphur and actually the match manufacturers are asked to get in touch with them. I might also add that I have met the members of this Association recently when I was in Madura and when all their needs were discussed and I know that so far as the sulphur position is concerned, it is not as acute as the hon. member imagines.

Shri B. S. Murthy: May I know, Sir, whether it is a fact that several lakhs of rupees worth of goods have been kept in these factories for want of wagons?

Shri T. T. Krishnamachari: There is admittedly a little difficulty according to the version presented to me by the Match Manufacturers' Association in respect of wagons and as I said, this matter was not brought to the notice of my Ministry until recently when it was brought to my notice personally. Their grievances are being forwarded to the appropriate Ministry for necessary action. But it is also a fact that certain supply of wagons is ensured to them according to the present determination of wagon supply by the appropriate authority.

Shri B. S. Murthy: Is it not a fact, Sir, that the promised quota of wagons has not been supplied to them in time even today?

Shri T. T. Krishnamachari: I have no information.

Shri Damodara Menon: May I know, Sir, what is the stock position of refined sulphur in the country today?

Shri T. T. Krishnamachari: I have not got the exact figures, Sir. As I said, refined sulphur is not controlled by the International Materials Conference. It is only crude sulphur that is controlled and sulphur is placed under the O.G.L. and imports are coming in though not as much as we want. The Government have also asked the Sulphur Users' Organisation to reserve a certain quantity of crude sulphur in case it is necessary to supply the match manufacturers with crude sulphur if refined sulphur is not available.

Shri Velayudhan: May I know, Sir, how many match factories were closed because of the scarcity of sulphur?

Shri T. T. Krishnamachari: I require notice for that.

WRITTEN ANSWERS TO QUESTIONS

INCREASED CITY ALLOWANCES AT POONA

***1160. Shri Nambiar:** Will the Minister of **Finance** be pleased to state:

(a) whether representations have been received from any labour organisations of Poona requesting the declaration of Poona city as 'B' Area, that employees in Government and quasi-Government undertakings could have the benefit of an increased City allowance; and

(b) whether any action has been taken in the matter?

The Minister of State for Finance (Shri Tyagi): (a) No representation from labour organizations has been received but a resolution passed at a conference of subordinate employees of certain Central Departments at Poona was received in 1949.

(b) Yes. The representation was duly considered by the Government. Poona cannot be included in 'B' areas, as, according to the final Census figures, its population is below five lakhs.

COURTS MARTIALS AND COURTS OF ENQUIRY

***1165. Shri Thirani:** Will the Minister of **Defence** be pleased to state:

(a) whether there has been an increase in crime in the Indian Army since Partition and if so, what are the reasons therefor and what corrective action has been taken to prevent it; and

(b) what is the approximate expenditure which has been incurred on Courts Martial and Courts of Enquiry in respect of disciplinary cases during the years 1948—52?

The Minister of Defence (Shri Gopalaswami): (a) Yes, Sir. The increase in the incidence of military offences is attributable to:

(1) Inexperienced commanders in certain units.

(2) Shortage of officers after partition.

(3) Attitude of some of the non-regular officers.

To remedy the situation—

(1) More regular and experienced officers are being posted with the troops.

(2) Directives have been and are being issued for the guidance of officers, and

(3) Regulations have been and will continue to be tightened up on all aspects revealed by disciplinary cases to be faulty.

(b) It is not possible to give any figures regarding the cost incurred in connection with Courts Martial and Courts of Inquiry as these fall within the normal duties of military personnel. The only additional cost involved is that of the conveyance of witnesses who are not in the stations but, as no separate accounting system is maintained for this, no figures can be given.

छात्र वृत्ति के लिये हरिजन छात्रों का चुनाव

***११६८. डा० सत्यवादी:** (क) क्या शिक्षा मंत्री यह बतलाने की कृपा करेंगे कि छात्रवृत्तियां देने के लिये हरिजन छात्रों के चुनाव की प्रणाली क्या है और चुनाव का आधार क्या है ;

(ख) क्या इन अभ्यर्थियों के चुनाव में इस सदन के हरिजन सदस्यों को भी विश्वास में लिया जाता है ?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) The scholarships to Scheduled Castes students are awarded on the recommendation of the Scheduled Castes, Scheduled Tribes and Other Backward Classes Scholarships Board. A copy of Regulations relating to these scholarships which contain the basis of selection is placed on the Table of the House. [*See* Appendix VI, annexure No. 2]

(b) Yes, Sir. Three Scheduled Castes Members of this House are Members of the Board.

FOREIGN OFFICERS IN DEFENCE FORCES

***1172. Shri H. N. Mukerjee:** Will the Minister of **Defence** be pleased to state the emoluments and the conditions of service of officers of foreign nationality at present serving in the Indian Army, Navy and Air Force?

The Minister of Defence (Shri Gopalaswami): A statement showing the emoluments is laid on the Table of the House. [*See* Appendix VI, annexure No. 3]

Officers of foreign nationality have been employed on contracts for periods ranging from one to three years, and their service is generally liable to termination at three months' notice on either side after completion of one year's service. They are entitled to leave and free passage for themselves and their families, to the U.K. and back, in accordance with the rules in force.

DEMOBILISATION OF MYSORE STATE FORCES

***1173. Shri Madiah Gowda:** Will the Minister of **Defence** be pleased to state how many persons and of what ranks have been demobilised in Mysore, due to the integration of State Forces?

The Minister of Defence (Shri Gopalaswami): (1) 51 Officers;

(2) 76 Junior Commissioned Officers;

(3) 1,827 Other Ranks; and

(4) 500 Non-Combatants (Enrolled) and Civilians.

MONAZITE SUPPLY

***1174. Shri Matthen:** Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) the price at which the Government of India has persuaded the Travancore-Cochin Government to supply monazite to the Rare Earths Company at Alwaye and the quantity and duration of the contract and how does this price compare with the world price since the contract; and

(b) in view of the great disparity in world price, which has been almost ten times the contracted price, do Government propose to re-open the price question and fix an equitable and fair price for Travancore-Cochin Government?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) The Indian Rare Earths Company is jointly owned by the Union and Travancore-Cochin State Governments. Supply of monazite to its factory at Alwaye is in the nature of a transfer of material and there is no relevant reason for comparison with world prices.

(b) It is not true to say that world prices are almost ten times the contracted price at which the Alwaye factory obtains monazite sand.

GRANTS FOR EDUCATION

***1175. Shri N. B. Chowdhury:** Will the Minister of **Education** be pleased to state on what basis grants for education are made to different States?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): The basis of grants to States for education vary according to the nature of the grant. A statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 4.]

MILITARY DAIRY FARMS

***1176. Shri Kajrolkar:** Will the Minister of **Defence** be pleased to state:

(a) the number of military dairy farms in India and the Centres where they are located;

(b) what is the total production of such dairy farms;

(c) whether this production is sufficient to meet the requirements of the armed forces;

(d) if the answer to part (c) above is in the affirmative, whether there is any excess production diverted to civilian consumption;

(e) if the answer to part (c) above is in the negative, whether the deficit is made up by purchase of milk and dairy products from the open market; and

(f) whether Government have made any comparison of production costs with the civilian dairy farms in the areas where the military dairy farms are situated, with a view to see whether the latter are being run economically?

The Minister of Defence (Shri Gopalaswami): (a) There are 26 Military Dairy Farms located at the following Centres:

Ahmednagar, Belgaum, Bangalore, Deolali, Jubbulpore, Kalyan, Kirkee, Pimpri, Secunderabad, Wellington, Agra, Allahabad, Bareilly, Dehra Dun, Jhansi, Kanpur, Lucknow, Meerut, Namkom, Panagarh, Ambala, Delhi Cantt., Ferozepore, Jullundur, Mhow and Pathankot.

(b) The daily production of the dairy farms is about 31,000 lbs. of cows' milk and about 65,000 lbs. of buffaloes' milk.

(c) No. It is short to the extent of about 5,000 lbs. of milk daily.

(d) Does not arise.

(e) Yes, Sir.

(f) The rates have been found to compare favourably with the rates at which civilian dairies sell products of similar quality.

SOLDIERS' BOARDS ETC.

***1177. Shri R. N. Singh:** Will the Minister of **Defence** be pleased to state:

(a) the constitution and function of the Soldiers, Sailors and Airmen's Board; and

(b) the annual expenditure of the Board referred to in part (a) above?

The Minister of Defence (Shri Gopalaswami): (a) A statement is laid on the Table of the House. [*See* Appendix VI, annexure No. 5.]

(b) Expenditure on the Board is about Rs. 90,000 per annum.

अनुसूचित जाति के छात्रों को छात्रवृत्तियां

*११७८. **श्री एन० प्रभाकर:** (क) क्या शिक्षा मंत्री यह बतलाने को कृपा करेंगे कि दिल्ली विश्वविद्यालय के ऐसे हरिजन छात्रों की संख्या क्या है, जिन को सरकार की ओर से छात्रवृत्तियां प्रदान की गयी हैं ?

(ख) इस काम में कितनी धनराशि दी गयी थी ?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Since 1944-45, when Scheduled Castes Scholarships Scheme was initiated, 67 students of Delhi University have been awarded scholarships.

(b) Rs. 42,885.

KIRKEE AND JABALPUR AMMUNITION FACTORIES

***1179. Shri P. N. Rajabhoj:** Will the Minister of **Defence** be pleased to state:

(a) whether there is any proposal for the removal of staff in either Pulgaon, Dehu Road depots ammunition factories at Kirkee and Jabalpur; and

(b) if so, what is the number involved?

The Minister of Defence (Shri Gopalaswami): (a) and (b). By the expression 'removal of staff', the hon. Member presumably means reduction of staff. The load of work is not static and varies from time to time. Consequently, certain adjustments in the establishments take place from time to time. Every effort is made to absorb any person found to be surplus in any one establishment in other neighbouring establishments. There is no proposal at present to reduce the staff at any of the places mentioned except at Dehu Road Depot in respect of which the matter is under consideration. How much reduction, if any, there should be here will depend upon how many of the surplus personnel can be absorbed elsewhere.

SOLAR COOKERS

***1180. Shri Ram Das:** Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) what steps Government have taken to popularise solar cookers; and

(b) whether it is possible to work at the solar cooker at night or in cloudy weather?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) The experiments are still in a laboratory stage and the results of such experiments are given to press for general information of the public.

(b) If the hon. member had given a thought to the name of this cooker, it would not have been necessary for him to ask this question.

RESEARCH INSTITUTES

***1181. Shri B. N. Roy:** Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) what researches have recently been undertaken and results achieved in connection with finding out any new food; and

(b) what are the researches and heir results in connection with substitutes for steel and iron in buildings, structures and transport?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) A statement giving the desired information is placed on the Table of the House. [*See* Appendix VI, annexure No. 6.]

(b) The National Laboratories have not conducted any research on the substitute for steel and iron in buildings, structures and transport. The use of Titanium metal and alloys is under investigation.

BOARD OF SCIENTIFIC TERMINOLOGY IN HINDI

***1182. Shri Ram Das:** Will the Minister of **Education** be pleased to state:

(a) the number of Expert Committees set up to assist the Board of Scientific Terminology in Hindi;

(b) whether this Board has made some report as yet; and

(c) when the Board is expected to implement the plan?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) Ten.

(b) and (c). There is no question of the Board submitting any Report at this stage. On its recommendation 10 Expert Committees on the various sciences and a Committee of Philologists have been appointed and they are carrying on the work assigned to them. The Board has also laid down certain general principles for the guidance of these Committees, and work is proceeding on these lines. It is a big undertaking and will take several years for its completion.

SARGENT COMMISSION'S REPORT

250. Shri L. N. Mishra: (a) Will the Minister of **Education** be pleased to state the steps that the Government of India have taken for the implementation of Sargent Commission's Report on the educational development in the various States in India?

(b) Is it a fact that some States have not adopted the said report?

(c) If so, what are the States that have adopted the said report and also those which have not done so?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): (a) The recommendations made in the Report of the Central Advisory Board of Education on Post-War Educational Development in India, 1944 (known as Sargent Report) have been generally accepted by both the Central and the State Governments and are being gradually implemented.

(b) No.

(c) Does not arise.

AMOUNTS DUE FROM PUNJAB PROVINCIAL CO-OPERATIVE BANK, LAHORE

251. Shri Ram Das: Will the Minister of **Finance** be pleased to state:

(a) what amount of money was due from the Punjab Provincial Co-operative Bank Ltd., Lahore in Pakistan to the co-operative institutions in Punjab (I) at the time of Partition in 1947;

(b) how much of it has been recovered up to March, 1952;

(c) what steps Government intend to take to recover the balance;

(d) the names of co-operative institutions among whom the recovered amount has been distributed, stating the amount given to each;

(e) the names of those co-operative institutions to whom repayment has been made; and

(f) whether Government propose to give financial help to the institutions referred to in part (e)?

The Minister of Finance (Shri C. D. Deshmukh): (a) According to the tentative balance sheet prepared in August, 1948, by the Registrars of Co-operative Societies of the two Punjabs, a net sum of Rs. 226 lakhs was payable by the Punjab (P) to the Punjab (I), after adjusting Rs. 69 lakhs payable by the Punjab (I) to the Punjab (P). Until all the claims have been verified and a final balance sheet is prepared, the actual amount to be recovered cannot be determined.

(b) Government securities to the value of Rs. 1,45,65,500 have been received.

(c) The balance can be recovered only after all the claims have been verified and the correct amount still due is determined. The process of verification is in progress under the direction of the Registrars of Co-operative Societies of the two Punjabs.

(d) and (e). A statement showing the distribution of Government securities to the value of Rs. 1,04,65,500 among the Co-operative Institutions of Punjab (I) is attached. [*See* Appendix VI. annexure No. 7]. No information is available as to how the balance of Rs. 41 lakhs has been distributed.

(f) No.

भारत-यू० एस० प्राविधिक सहयोग समझौता

२५२. **श्री एन० एल० जोशी**: क्या वित्त मंत्री यह बतलाने की कृपा करेंगे ;

(क) भारत-यू० एस० प्राविधिक सहयोग समझौते के पद ; और

(ख) इस समझौते पर कव हस्ताक्षर किये गये थ ?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). The attention of the hon. Member is invited to my reply to Starred Question No. 157 answered on the 21st February, 1952 wherein a copy of the agreement was laid on the Table of the House.

भारत-यू० एस० प्राविधिक सहयोग समझौता

(कार्य-संपावन संबंधी समझौता)

२५३. **श्री एन० एल० जोशी**: (क) क्या वित्त मंत्री यह बतलाने की कृपा करेंगे कि भारत-यू० एस० प्राविधिक

सहयोग समझौते के अधीन अब तक कितने कार्य सम्पादन सम्बन्धी समझौतों के ऊपर स्हताक्षर किये गये हैं ?

(ख) क्या सरकार इन में से प्रत्येक समझौते की एक प्रति सदन पटल पर रखने का विचार कर रही है ?

The Minister of Finance (Shri C. D. Deshmukh): (a) Eleven Operational Agreements have been signed.

(b) Eight Agreements were laid on the Table of the House in reply to question No. 713 on the 11th June, 1952. Copies of the remaining three Agreements are laid on the Table of the House. [*Copies placed in the Library. See No.* P-54/52.]

FOREIGN AID AND LOAN

254. **Shri Badshah Gupta:** Will the Minister of **Finance** be pleased to state:

(a) the aid and loans received by India from different foreign countries under various schemes in terms of rupees up to the end of May, 1952;

(b) the instalments that have been undertaken to be paid on account of the aforesaid aid and loans;

(c) the amount payable during 1952-53 on that account; and

(d) the duration of period up to which the instalments will have to be paid?

The Minister of Finance (Shri C. D. Deshmukh): (a) I lay on the Table of the House a statement giving the details. [*See* Appendix VI, annexure No. 8.]

(b) to (d). In the case of aid, question of repayment does not arise. In the case of loans, a statement furnishing the information is laid on the Table of the House. [*See* Appendix VI, annexure No. 9.]

No payment is due upto June 30, 1957.

COINS OF OLD INDIAN STATES

255. **Shri M. L. Dwivedi:** Will the Minister of **Finance** be pleased to state.

(a) the number of States where coins of ex-princely Indian States are still in circulation;

(b) whether any loss has been sustained as a result of replacing princely currencies with the Republican currency; and

(c) whether Government propose to lay on the Table of the House a statement containing various varieties of princely coins with their denominations which have already been replaced by the Republican currency?

The Minister of Finance (Shri C. D. Deshmukh): (a) Four, *viz.*, Madhya Bharat, Rajasthan, Hyderabad and Travancore-Cochin.

(b) Until the withdrawal of the State coins is completed, it will not be possible to assess the extent of loss, if any, which may be incurred by the Central Government as a result of replacing the State coins with Indian coins.

(c) According to information available with the Government, only Koris of the Cutch (Bhuj) State, Ammankasu of Pudukottai State and Pice of Cambay State have been demonetised so far. In accordance with the provisions contained in the Part B States (Laws) Act, 1951 it has been decided that the State coins in circulation on 1st April 1951 shall continue to be legal tender in those States up to 31st March 1953.

ZINC SPELTER

256. **Shri Balwant Sinha Mehta:** Will the Minister of **Natural Resources and Scientific Research** be pleased to state **where plants for Zinc** Spelter industry exist outside India and what are their capacities and worth?

The Minister of Education and Natural Resources and Scientific Research (Maulana Azad): A statement giving the information available is laid on the Table of the House. [*See* Appendix VI, annexure No. 10.]

LOANS TO DISPLACED PERSONS

257. **Shri H. N. Mukerjee:** Will the Minister of **Finance** be pleased to state:

(a) the amount of business loan **advanced** by the Rehabilitation Finance Administration to displaced persons from West and East Pakistan respectively, and the number of loanees in either case;

(b) the number of such loanees who have failed to pay the intalments due on loans in West Bengal; and

(c) the steps, if any, taken in respect of such defaulters?

The Minister of Finance (Shri C. D. Deshmukh): (a) The Rehabilitation Finance Administration deals with loan applications for both business and industrial purposes but does not maintain statistics separately for business and industrial loans in respect of displaced persons from West and East Pakistan. The total amount of loans advanced to displaced persons from West and East Pakistan, upto the 31st May, 1952, and the number of loanees involved in each case is as under:

	Number of loanees	Amount sanctioned
		Rs.
West Pakistan .	3891	3.41 crores
East Pakistan .	1656	1.04 crores
TOTAL .	5547	4.45 crores

(b) About 232 borrowers in West Bengal whose instalments fell due for repayment on or before the 31st December, 1951 had failed to pay these instalments by the 31st March 1952.

(c) The steps taken in respect of such defaulters depend upon the merits of each case. If the loan account is running otherwise fairly satisfactorily the Rehabilitation Finance Administration continues to remind the party concerned to pay up the arrears; in cases where all efforts to realise the dues by persuasion fail the Collector is asked to realise the instalments due as arrears of land revenue. In yet other cases where in addition to the instalments being in arrears the loan account itself is running unsatisfactorily and there is no prospect of the loanee being in a position to straighten out his financial affairs the entire loan is recalled and the help of the Collector is sought to realise the Administration's dues; in some cases an arrangement is arrived at with the party concerned under which he is enabled to pay to the Administration the dues in instalments easier than those provided for in the Agreement.

EXCISE REVENUE FROM MATCH INDUSTRY

258. Shri M. Islamuddin: Will the Minister of **Finance** be pleased to state:

(a) the amount of excise revenue derived by the Government of India from match industry in 1948-49, 1949-50 and 1950-51; and

(b) the amount paid to States concerned in those years on account of their shares of excise duty?

The Minister of State for Finance (Shri Tyagi): (a) The total net Central Excise Duty realised on Matches during the years 1948-49 to 1950-51, is as follows:

Year		Rs. (000)
1948-49	...	7,25,44
1949-50	..	7,30,85
1950-51	..	8,01,51

(b) The hon. Member is, presumably, referring to the amount paid to the former 'Indian States' from the proceeds of the match excise duty for the years 1948-49 to 1950-51, under the arrangement which existed between the Government of India and those States for pooling and sharing the excise revenue from matches, collected within their respective jurisdictions through their individual excise administrations. The total amount authorised for payment to these States for these years is as follows:

Year		Amount
1948-49	...	1,26,42,622
1949-50	...	1,10,69,470
1950-51	...	Nil

2. Since the pooling arrangement referred to above ceased with effect from the 1st April 1950 on which date the match excise administration in the jurisdictions of the old Indian States were taken over fully by the Government of India following Federal Financial Integration, none of these States or their successor Part B States is entitled to any share in the match excise duty from that date. In the case of Jammu and Kashmir, however, the pooling arrangement was only terminated with effect from the 1st April 1951.

COOCH-BEHAR EMPLOYEES

259. Shri Barman: Will the Minister of **Finance** be pleased to state:

(a) the number of Cooch-Behar State employees (permanent and temporary) engaged in collection of tobacco excise and land customs, before the State was merged into India in 1950; and

(b) the number of such employees absorbed in the Central Services?

The Minister of State for Finance (Shri Tyagi): (a) The total number of Cooch-Behar State employees including Class IV Staff (both permanent and temporary) engaged in collection of tobacco excise and land customs during the pre-merger period was 156.

(b) 124 State employees have so far been absorbed in appropriate Central Government cadres.

INCOME-TAX INVESTIGATION COMMISSION

260. Shri K. K. Basu: Will the Minister of **Finance** be pleased to state:

(a) the number of cases dealt with by the Income Tax Investigation Commission after December 1951 up to the end of May, 1952;

(b) total amount of tax collected by the Commission during the same period;

(c) the number of cases where offence of evasion was proved and punished; and

(d) total amount realised by voluntary disclosure after the appeal by the Minister?

The Minister of State for Finance (Shri Tyagi) : (a) The number of cases disposed of by the Commission from 1st January 1952 to 31st May 1952 is 69.

(b) The Commission does not collect any tax. The amount of income-tax realised by the Income-tax Department during the same period in cases disposed of by the Commission is Rs. 1 crore and 66 lakhs.

(c) Since the inception of the Commission, the number of cases in which concealment of income has been found out is 718. In 23 cases no concealment was detected.

620 cases have been disposed of on the basis of settlement. Ordinarily only a moderate penalty is imposed or recommended by the Commission in such cases since the settlement is made to some extent on the basis of disclosures made by the assessees and partly on the basis of concealed income unearthed by regular investigation, but admitted by the assessees.

In the 121 cases disposed of on regular invstigation, penalty for concealment of income is invariably imposed both under the Income-tax Act and under the Excess Profits Tax Act, with rare exceptions where the Commission itself recommends either partial or no penalty.

Details of the settlement and investigation cases are :

	No. of cases disposed of	Concealed income involved	Tax involved
		Rs.	Rs.
Settlement .	620	29 crores 42 lakhs	16 crores 37 lakhs
Investigation	121	4 crores 34 lakhs	3 crores 1 lakh
TOTAL .	741	33 crores 76 lakhs	19 crores 38 lakhs

(d) The total amount realised upto the end of May, 1952 in cases of voluntary disclosures is Rs. 4 crores 67 lakhs.

LAW OFFICERS UNDER THE CENTRAL GOVERNMENT

261. Shri K. K. Basu: Will the Minister of **Law** be pleased to state:

(a) the number of senior Law Officers under the Central Government other than the Attorney-General and the Solicitor-General;

(b) the names of such officers and the post they occupy;

(c) whether any of such officers was practising as a Solicitor; and

(d) the terms and conditions of service of such post?

The Minister of Law and Minority Affairs (Shri Biswas): (a) Two, so far as the Ministry of Law is concerned.

(b) Shri M. V. Jayakar, Solicitor to the Central Government at Bombay, and Shri S. K. Mandal, Solicitor to the Central Government at Calcutta.

(c) Yes, both of them.

(d) (i) *Duration*:

The Solicitors are appointed on a contract. The Solicitor at Calcutta is appointed for an indefinite term while the Solicitor at Bombay is appointed for a period of 5 years renewable at the option of the Government of India. Provision for termination of services in certain circumstances is provided for.

(ii) *Duties*:

To look after civil legal business of the Central Government arising in Bombay/Calcutta including all litigation in Courts, advising State Railway Administration (if required), and Departments of the Central Government located in Bombay/Calcutta, attending to the conveyancing work of such Departments, and criminal business of advisory nature of such Departments.

(iii) *Remuneration*:

Each of the two officers is paid a monthly retainer of Rs. 1,000 per mensem. The Solicitor at Calcutta is also paid an office allowance of Rs. 150 per mensem. These payments are inclusive of all in pocket or profit costs chargeable in respect of work done for Government, and charges for staff, office rent, telephone, postage, and all other establishment charges except stationery

The Solicitors are also entitled to retain in civil suits all costs awarded to the Central Government in respect of Solicitor's fees if such costs are realized from the party concerned and in conveyancing matters all Solicitor's fees recovered from the party liable to pay the charges. As a temporary measure, the Calcutta Solicitor has been granted an additional office allowance of Rs. 500 per mensem and the Bombay Solicitor an allowance of Rs. 150 per mensem.

(iv) *General*:

The Solicitors are entitled to right of private practice.

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THE
PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

HOUSE OF THE PEOPLE

Wednesday, 25th June, 1952

The House met at a quarter Past Ten of the Clock

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(*See Part I*)

11-20 A.M.

MOTION FOR ADJOURNMENT

BOMBING OF YALU RIVER ELECTRIC PLANTS BY AMERICAN PLANES.

Mr. Speaker: I have received notice of an adjournment motion from Shri Gopalan which runs as under:

> "The definite matter of urgent public importance is the danger of extension of war to China and throughout the world by the deliberate bombing by American planes of the Yalu river electric plants which supply power to China."

From the frequent notices of adjournment motions that are coming to me and the subjects to which they relate, it appears that there is a good deal of misconception about the scope of adjournment motions and the occasions or the subjects in respect of which they could be brought. It is not that any and every subject could be the subject of a motion for adjournment. I need not however go into that general aspect. I would only request the hon. Members to read the rules on this question carefully and then table motions. That is one point.

Now in this, the principal objection seems to be that the matter is not specific. It may be urgent. It may be important—the danger of extension of war to China and throughout the world. Well, in a sense the position may be said to be specific under the ordinary meaning of the language. But it is not specific at all in the sense in which an adjournment motion could be admitted. The other difficulty which I feel is: What are the facts on which this motion is based? We are not yet in the know of it. I therefore advise hon. Members that whenever they have any important question which they want to discuss, the best course is to table a Short Notice Question and get from the Government such information as they can and as the Government have, so that there is some material on which we can proceed with our discussions.

An Hon. Member: Urgency may be anything?

Mr. Speaker: Even if the heavens are falling, you cannot discuss a thing without knowing the facts. So we do not know what happened? Let us know what the Government have to say. What information they have? How the situation is developing? It cannot be that anything that is flashed in the columns of morning papers or evening papers could be taken up as a subject of discussion in this House. There must be some material. So again I would say here that if it is permissible, possibly he may table a question on this point as to what the Government of India propose to do in the light of this situation as reported in the press or otherwise. If the question is admissible I will certainly see that it is admitted. If there is some substance in it and if Government are inclined to accept short notice, I am sure they will not keep any information back from this House. So I do not see how this particular motion could be admitted as an adjournment motion.

Shri S. S. More (Sholapur): I want, Sir, to seek some elucidation from you. You say that we should seek facts from the Government. Is the information published in the Press not reliable and can we not take that information as tantamount to facts, Sir?

Mr. Speaker: No, definitely not. There are many newspaper reports and it is generally the parliamentary practice that questions or motions based on mere newspaper reports are not admissible. That is the convention. That is the rule. That is the practice. It is necessary that the hon. Member tabling a question or a motion must satisfy himself in the first instance and must be in a position to say about the facts on his own knowledge or on the information which he considers to be reliable and then only he can table that question. (*Interruption*). Order, order. A newspaper report is not necessarily a true statement of facts. It is an everyday experience that papers are reporting, giving forecasts, and sometimes giving some kind of sensational information and if we were to go upon them as a basis, I do not know what else can be discussed in this House excepting the newspaper reports from day to day.

Shri S. S. More: May I know what is the practice in the House of Commons?

Mr. Speaker: The same as I said. A question was put there and I think Mr. Attlee made some protests. If he puts a question he will get the reply.

Shri Velayudhan (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): That question can be put only after a day's notice. We cannot do it immediately.

Mr. Speaker: That is no argument. He can put any Short Notice questions any time—that is the procedure.

Shri H. N. Mukerjee (Calcutta North-East): Would you not take judicial notice of a fact reported reliably in the Press and also discussed in such a forum as the House of Commons?

Mr. Speaker: I cannot take judicial notice of whatever appears in the Press. Even when it is based on the Press report of the discussion in the House of Commons, unless I [illegible] the Hansard, it is not possible to take judicial notice. The hon. Member is talking of judicial notice but he understands as a lawyer what a judicial notice means.

LEAVE OF ABSENCE

Mr. Speaker: I have to inform hon. Members that I have received the following letter......

Shri P. N. Rajabhoj (Sholapur—Reserved—Sch. Castes): Sir, I want to point out......

Mr. Speaker: Order, order. Not when I am on my legs and addressing the House—no interference unless on a point of order, and even then there could be no point of order when the Speaker is on his legs.

Shri P. N. Rajabhoj: Excuse me, Sir,......

Mr. Speaker: Order, order.

I have to inform hon. Members that I have received the following letter from Rt. Rev. John Richardson:

> "I shall be very grateful if you as Speaker will kindly move the House to grant me leave of absence from the House with effect from Monday, June the 23rd, 1952 for the remainder of the present session. My work as Bishop makes it necessary for me to take leave. I shall not be able to be present in the House after that date."

Is it the pleasure of the House that permission be granted to Rt. Rev. John Richardson for remaining absent from all meetings of the House during this Session, with effect from the 25th June, 1952?

Leave was granted.

Mr. Speaker: We will now take up the Demands. Before doing so, what is the point which Mr. Rajabhoj wanted to make?

श्री पी० एन० राजभोज: मैंने एक शार्ट नोटिस क्वेश्चन (short notice question) पूछा था। आपने कहा था कि एडजर्नमेंट मोशन (adjournment motion) नहीं होना चाहिये, शार्ट नोटिस क्वेश्चर्न होना चाहिये। आज तक मुझे उस शार्ट नोटिस क्वेश्चन काजवाब नहीं मिला है इसका क्या कारण है ?

[**Shri P. N. Rajabhoj:** Sir, as you had advised me that it was more proper to put a short notice question rather than an adjournment motion, I gave notice of one, to which, however, I have received no reply so far. May I know the position?]

अध्यक्ष महोदय : Order, order. इस में बात यह है कि आनरेबिल मेम्बर को आफ़िस में तलाश करनी चाहिये । यहां हाउस में ऐसा पोंइट (point) नहीं रेज (raise) करना चाहिये उन्होंने क्वेश्चन दिया होगा । आफिस में उस का संशोधन होगा और अगर वह ऐडमिसिबिल (admissible) होगा तो आयेगा और ऐडमिसिबिल नहीं होगा तो नहीं आयेगा ।

[**Mr. Speaker:** Order, order. The hon. Member should enquire in the office and not raise this point here in the House. If he has given notice of a question, it would be scrutinised there. If found admissible, it would come up here, otherwise not.]

श्री पी० एन० राजभोज : मैं ने आफिस में तलाश किया है ।

[**Shri P. N. Rajabhoj:** I have enquired in the office.]

अध्यक्ष महोदय : Order, order, आनरेबिल मेम्बर को आफ़िस में तलाश करना चाहियें ।

[**Mr. Speaker:** Order, order. The hon. Member should enquire in the office.]

Shri P. N. Rajabhoj *rose*—

Mr. Speaker: Order, order. Nothing further on that matter.

GENERAL BUDGET—DEMANDS FOR GRANTS

DEMAND No. 54—MINISTRY OF HOME AFFAIRS

Mr. Speaker: Motion is:

"That a sum not exceeding Rs. 74,63,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Ministry of Home Affairs'."

DEMAND No. 55—CABINET

Mr. Speaker: Motion is:

"That a sum not exceeding Rs. 16,73,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of Cabinet'."

DEMAND No. 56—DELHI

Mr. Speaker: Motion is:

"That a sum not exceeding Rs. 84,84,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Delhi'."

DEMAND No. 57—POLICE

Mr. Speaker: Motion is:

"That a sum not exceeding Rs. 46,40,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Police'."

DEMAND No. 58—CENSUS

Mr. Speaker: Motion is:

"That a sum not exceeding Rs. 12,46,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Census'."

DEMAND No. 59—MISCELLANEOUS DEPARTMENTS AND EXPENDITURE UNDER THE MINISTRY OF HOME AFFAIRS.

Mr. Speaker: Motion is:

"That a sum not exceeding Rs. 6,01,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Miscellaneous Departments and Expenditure under the Ministry of Home Affairs'."

DEMAND No. 60—ANDAMAN AND NICOBAR ISLANDS

Mr. Speaker: Motion is:

"That a sum not exceeding Rs. 1,05,39,000 be granted to the President, out of the Consolidated

[**Mr. Speaker**]

Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Andaman and Nicobar Islands'."

DEMAND NO. 120—CAPITAL OUTLAY OF THE MINISTRY OF HOME AFFAIRS.

Mr. Speaker: Motion is:

"That a sum not exceeding Rs. 15,90,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Capital Outlay of the Ministry of Home Affairs'."

I understand that the question of the minorities affairs is going to be discussed in the 'Cabinet', that it has not yet been discussed. I refer to the Delhi Agreement of 8th April.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I do not quite understand. Sir, what part of it—the matter is discussed in various ways from time to time.

The Minister of Law and Minority Affairs (Shri Biswas): May I make a statement, Sir? There was a cut motion to discuss the failure of Government to implement the Prime Ministers' Agreement. That cut motion was given notice of under the Demand for the Ministry of Rehabilitation. That was ruled out by the Deputy-Speaker, who said that it should have come under External Affairs. Then there was a notice that cut motions regarding the implementation of the Delhi Agreement may be brought up under the sub-heading 'Cabinet' of the Home Ministry Grant. That has been done. A cut motion in the same terms had been tabled by the same hon. Member under the sub-heading 'Cabinet', which forms part of the Demand for the Home Ministry. The original date fixed for the cut motion was the 25th, but it has since been transferred to the 27th.

Mr. Speaker: The position appears to be this. Due to changes in the portfolios and Ministries this particular cut motion about failure to implement the Agreement, to which I am referring now and to which the hon. Minister also has referred, will be coming up under the Demand to be moved on the 27th.

Dr. S. P. Mookerjee (Calcutta South-East): Under the Ministry of Law and Minority Affairs?

Mr. Speaker: Yes.

Dr. S. P. Mookerjee: But it is only with regard to that particular Agreement. Other questions may be raised here?

Mr. Speaker: Even that can be discussed here—the only point is that it cannot be voted upon till that Demand comes up, because that cut is to be discussed under the other head. However, when it comes to actual voting we shall see what can be voted upon and what cannot be.

Absence of suitable provision for Civil Defence

Shri U. C. Patnaik (Ghumsur): I beg to move:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Policy

Shri M. S. Gurupadaswamy (Mysore): I beg to move:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Administration of Preventive Detention Orders by the authorities.

Shri Madhao Reddi (Adilabad): I beg to move:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Freedom of Speech and freedom of Press

Shri Veeraswamy (Mayuram—Reserved—Sch. castes): I beg to move:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Consequences of the implementation of the Re-enforcement and Re-organisation Scheme of the Central Secretariat on the Assistants (IV grade).

Shri Vallatharas (Pudukkottai): I beg to move:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Confirmation of Displaced Persons employees in the Central Secretariat.

Sardar Hukam Singh (Kapurthala—Bhatinda): I beg to move:

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Curtailment of Civil Liberties

Shri R. N. S. Deo: (Kalahandi-Bolangir): I beg to move:

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Improvement of the condition of Scheduled Tribes

Shri Rishang Keishing (Outer Manipur-Reserved—Sch. Tribes): I beg to move:

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Failure to plan for the socio-economic role of Defence Forces during peace-time.

Shri U. C. Patnaik: I beg to move:

> "That the Demand under the head 'Cabinet' be reduced by Rs. 100."

Decentralisation of administration.

Shri Damodara Menon (Kozhikode I beg to move:

> "That the Demand under the head 'Cabinet' be reduced by Rs. 100."

Failure of the Police to handle the public disturbance in connection with the proposed inter-communal marriage in the latter half of May, 1952

Shri Vallatharas: I beg to move:

> "That the Demand under the head 'Delhi' be reduced by Rs. 100".

Low salary scales of the constabulary

Shri K. Subrahmanyam (Vizianagaram): I beg to move:

> "That the Demand under the head 'Police' be reduced by Rs. 100".

Implementation of the guarantees given in the Constitution to the Anglo-Indian community in particular and the minorities in general.

Shri Frank Anthony (Nominated—Anglo-Indian): I beg to move:

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Corruption and bribery in the Police ranks.

Shri S. S. More (Sholapur): I beg to move:

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Conditions of Scheduled Castes

Shri Bahadur Singh: (Ferozepore-Ludhiana-Reserved—Sch. Castes): I beg to move:

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Inadequate representation of Scheduled Castes in Government services.

Shri Jatav-vir (Bharatpur-Sawai Madhopur-Reserved-Sch. Castes): I beg to move:

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Civil Liberties with special reference to Preventive Detention Act and Press Laws.

Shri V. G. Deshpande (Guna): I beg to move.

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Policy

Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes): I beg to move:

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

Mr. Speaker: These are the Demands and Cut Motions. The House will now proceed with the discussion of these Demands. The usual time-limit is there. I do not know what time the hon. Minister will take to reply.

The Minister of Home Affairs and States (Dr. Katju): Anything from thirty to forty-five minutes; it all depends on the range of debates.

Mr. Speaker: Then I think I will call upon him at 5-15. We will now proceed.

Shri Bahadur Singh: I rise to speak on the conditions of the Scheduled

[Shri Bahadur Singh]

Castes in India. Before I take up that subject, I would like to say a few words on democracy and secularism, as I think these two notions are connected with the problem of the Scheduled Castes in our country.

The Leader of the party in power and the party itself do not miss an opportunity to proclaim the ideals of democracy and secularism, and condemn all those who oppose or criticise them, as totalitarians or communalists,—in fact both. But democracy has been reduced to a mere mockery in our sacred land. Can anyone, except a sycophant of the party in power, believe it for a moment that democracy can exist in a country which is clamped down by Section 144, where the Preventive Detention Act prevails in peace-time, where the party in power suffers from ceaser complex and confuses the interests of the party with those of the country? In fact the deceptive cry of freedom and democracy has been raised to conceal the ugly and horrifying reality of the actual strangulation and utter annihilation of the democratic principles and practices in our country. Sir, to tell you the truth, the triple ideals of liberty, equality and fraternity have been reduced or transferred into infantry, cavalry and artillery through the ingenuities of our Government. As regards the ideals of scularism, I can emphatically assert that it is only another name for religious imperialism to deceive and hood-wink the masses. Why should have the religious clique, otherwise made religious distinction while granting special privileges to the backward classes in our country? While the Hindu *Harijans* and only four Sikh backward classes have been granted special privileges, the backward sections of Muslims, Christians Budhists and Sikhs, except four sections, were simply ignored. Why this religious discrimination was made if ours is a secular State? Would it not have been in consonance with the ideals of secularism, if the ruling clique had made the economic condition as the touch-stone to grant them the special privileges? Has not the much-boosted-up secular Constitution of India been polluted by the religious consideration that weighed with the party in power?

Not only that this discrimination is more mischievous than it apparently seems to be. If a *Harijan* or a Scheduled Caste man has two sons and one of them refuses to declare himself a Hindu, he is not at all entitled to enjoy those privileges or amenities to which he is entitled to if he declares himself a Hindu. Suppose a Scheduled Caste man does not profess any religion, or does not believe in any religion—he cannot enjoy those privileges. The Scheduled Caste people are backward not because they are irreligious, or they are non-religious, they are backward because their economic conditions are backward. When the Government provided them these facilities the only yard-stick with which they measured their backwardness was religion, not their economic condition.

In the last Parliament some of the leaders raised a hue and cry about this, but it fell on the deaf ears of the party in power. This rejection was prompted by sinister gains and this refusal was motivated by the nefarious end in view. The discrimination in the enumeration of Scheduled Castes has cost three lakhs of a postasies to the Sikhs alone and that too in one province of the United Provinces.

Now I come to the reality of some of the privileges that have been granted to the Scheduled Castes. Those are more or less paper privileges. Take, for instance, the permission to enter *mandirs* which has been granted to the Scheduled Castes. It may be of a great spiritual value, but the immediate and primary need of the Scheduled Castes is not a spiritual one. Their primary and immediate need is their material and economic amelioration. So it does not serve any purpose if they are just allowed to enter *mandirs* when at the same time they are living in slums, hovels and cottages. By their being allowed to enter the *mandirs* their economic condition is not changed; it remains the same. So I would request the hon. the Home Minister not to try to drug one-third of the total population of India with the opium of religion but to provide them with better homes, more and cheaper food, better clothes, free and compulsory education and other amenities.

The sum that has been granted for the benefit of the Scheduled Castes is so meagre as to be negligible. No doubt this time the hon. the Minister of Education has granted an addition of Rs. two lakhs, but for such a large number it is still a meagre sum.

This backwardness in the field of education has consequential evil results. That even in one Department of the Union Government or in any of the States do the Scheduled Castes enjoy their proper representation, though you can find thousands of them loitering unemployed in the streets. As far as I know, there is only one Scheduled Caste member in the Indian Police Service, and not more than four or five in the Indian Administrative Service. No doubt every year such competitions are held. But either one or none is taken from the Scheduled Castes—though according to the reservations made for them, every time four or five in the I.A.S. as well as in the I.P.S. must be taken. No doubt the age-limit has been relaxed for the Scheduled Castes, but it is of no value to them. How is this relaxation going to help the Scheduled Caste competitors to overcome their other shortcomings and poor educational qualifications? Despite my best efforts I could not understand the logic of our Government which demands equality between unequals. A Scheduled Caste candidate who is ill-fed, ill-clothed, who lives in slums which are not lighted even by the sun, and who can hardly afford to buy books—how can he successfully compete with the candidates and competitors hailing from the drone classes. Further, I regret to say that the selectors are generally from the *swarn* castes. The notions of untouchability are rooted deep into their unconscious mind and dictate its decisions which are generally detrimental to the interests of these forlorn and helpless Scheduled Castes.

Therefore I request the hon. the Home Minister not to measure the Scheduled Castes problem from the point of view of religion but from the point of view of economics. If the Government earnestly takes steps to raise their living standard and social status I am sure it will give them confidence in their own selves, the loss of which has made them almost sub-human.

In the end I would like to put a few demands before the hon. the Home Minister, and I am sure that he will accept them as they are all legitimate. My first demand is that free education, from primary upwards with provisions of free books, board and lodging, be made available for the proper growth and development of this neglected section of the population of our country. Secondly, Scheduled Caste candidates should be given first preference by being taken in the services till their quota is filled up. Thirdly, waste lands should be allotted to Scheduled Caste tillers. As there is a vast majority of landless tenants amongst the Scheduled Castes it will be in the fitness of things if the Government enact a legislation granting them minimum living wages. Further, I demand the appointment of Scheduled Caste officers in every district to look after and watch the interests of the Scheduled Castes. It would be much better if the Government appoint these officers from the Scheduled Castes themselves.

I also demand that a separate Ministry be constituted to deal with the Scheduled Caste problem. If such a Ministry is created then the Scheduled Caste problem would be dealt with more effectively and speedily. It will not be out of place for me to remark here that the Scheduled Caste Members have not been properly represented in the Central Cabinet. In the Provisional Parliament when there were only thirty Scheduled Caste Members, there were two Scheduled Caste Ministers. Now there are more than seventy such Members but there is only one Scheduled Caste Minister. This shows the eagerness and earnestness that Government have for the cause of the Scheduled Castes! Thus the Scheduled Castes and other backward classes and tribes, which constitute one-third of the total population of the country, are most inadequately represented.

The last, but not the least important demand that I would press for acceptance is that the period of ten years for which special privileges have been granted to the Scheduled Castes under the Constitution should be extended to thirty years. I regret to say that during the last five years the Government could not do anything for the betterment of the Scheduled Castes. The speed with which the Government have been working shows that in a period of ten years the Government would not be able to do anything for them. And that is why I press for the extension of time. I fail to understand how centuries old superstitions, prejudices and economic backwardness can be wiped out in a short span of ten years.

In the end I shall proclaim with all the emphasis at my command and in all earnestness that Indian democracy is becoming a farce and Indian secularism a sheer smoke-screen to conceal the ugly face of communalism of the majority community of this country. The earlier this is understood the better it will be for all of us. Therefore I submit and most humbly request the hon. Minister of Home Affairs to take up the Sche-

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duled Caste problem as something extraordinary, most important and urgent.

Pandit M. B. Bhargava (Ajmer South): I rise to speak a few words in support of the Demands for Grants in respect of the Ministry of Home Affairs. A number of cut motions have been tabled, and it is difficult for me within the small space of time at my disposal to deal with the subject-matter of all those cut motions. But I will attempt to deal with a few important ones.

We have to realize that the Ministry of Home Affairs is the backbone of the Government of India, for on the smooth and safe working of this Ministry depends the running of the entire administrative machinery of the Government of India. Looking to the period just following the transfer of power and the way in which the Ministry of Home Affairs has behaved, we must acknowledge that its achievement will go down in history as the achievement of a great Ministry. In the first place, our services were put to a great strain on account of the transfer of power whereby our services were depleted to a large extent on account of the premature retirement of a large number of experienced officers. Then, another strain the Ministry had to sustain was as a result of the partition of the country. There also, a very large number of officials opted out for Pakistan and our services were put to a great strain. But the way in which the Ministry of Home Affairs manned this deficiency and the way in which it maintained internal order and peace will go down in history as the greatest achievement of our Government. We know that the period just following the transfer of power was a period of sectional lawlessness in this country. The communalists and the Communist elements were at their best and it is remarkable that out of this chaos and anarchy the country came out with flying colours and the Government of India have established peace and order in this country.

The subject matter of certain cut motions is that civil liberties are not protected and that there is a Preventive Detention Act. I would respectfully submit that the conditions in the country are still exceptional. Violent activities are being carried on in the eastern border of our country and in the south. There is a demand for the repeal of this Preventive Detention Act, and there is a slogan that no person should be detained until and unless he had been put to trial and proved guilty before a competent court of law. We cannot possibly know the background of the existing conditions in the country. It must be acknowledged that anti-social elements are working very hard. They are interested in creating disorder. They want the present structure of society to be torn down to pieces and they wish to reconstruct it in the way of their imagination. Could a Government which is committed to the maintenance of law and order in the country, which stands for establishing a classless society in the country by gradual stages, tolerate the activities of these lawless elements who are bent upon creating disorder and violence in the country? Judging the facts of the circumstances, we must acknowledge that the Preventive Detention Act cannot entirely be ruled out in the existing conditions of the country. In the last Provisional Parliament when the Preventive Detention Act was about to expire, the hon. Home Minister asked for a short extension of six months on the ground that as the first Parliament on adult franchise was going to meet, it was just and proper that that Parliament should have the opportunity and occasion to consider the merits of the measure. We expect that within a few days after the Demands for Grants have been voted, the matter will be considered by this House. I submit that this is not the time to go by slogans. We must take into consideration the reality of the situation. I would request the hon. Home Minister not to be swayed by sentiment but to keep in his mind the grave responsibility that rests on him. He will be guilty of dereliction of duty, he will be guilty of breach of faith and trust that rest on his shoulders, if he is carried away simply by slogans of civil liberty. He has to see whether in the interests of the country, in the interests of the maintenance of law and order, in the interests of the encouragement of the gradual evolution of society, certain persons who have the avowed object of creating lawlessness in the country should remain free. It is said that a person who is guilty of an offence may be tried before a court of law and found guilty. But if a person's liberty amounts to the commission of lawlessness, acts of plunder, loot and arson no useful purpose will be served by bringing such a person to book, after the damage had been done. Prudence and sagacity would require that such persons should be detained in order to prevent them from committing acts of lawlessness to the great detriment of society. In short, we have necessarily to curtail the liberties of a few individuals in order to safeguard the liberties of millions in the country and if in the discharge of this unpleasant duty, an extension of the period is required, it should be sought. Of course, the provisions of the measure ought to be scrutinized in order to see that an innocent person may not unduly suffer. I think that those provisions may be liberalized and a person may be given the full right to prove his innocence before a competent Advisory Board or any other body. Subject to this, I submit that the circumstances of the country warrant that the provisions of the Act should be extended for a further period of three years.

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Then there is a great complaint about corruption in the services. This also is a subject-matter of certain cut motions. This is a legacy that we have inherited from the British and in those days the State was a Police State. It is now on a role to become a welfare State. Its sphere of activities have been exended to a large extent and side by side with the increase in the activities of the Government, corruption is also increasing. Therefore, it is no wonder that in spite of Government's best intentions, the evil of corruption has not yet been effectively brought under control. Government's achievement should not be judged by the actual results but also by how far it has been able to checkmate and counteract this evil. The term of the Anti-corruption Act, 1947 expired in March, 1952 and this act has been extended for a period of five years and the Special Police Establishment has been carrying its vigilant activity. We find that in a court of law 116 officers were found guilty and punished. In 66 cases departmental action was taken. In 130 cases they were found innocent and 302 cases of corruption are still pending in courts of law. Therefore we must acknowledge that the Government is quite vigilant and conscious of this evil and is taking all the steps to curb it. We have got the Bakshi Tek Chand Committee and its recommendations are under the active consideration of the Government of India and I have not the least doubt that the hon. Minister will soon come before the House to implement the main recommendations of that Committee. I am convinced that if these recommendations are implemented, this evil of corruption can be minimised to a large extent.

There is another point to which I would like to draw the attention of the House. The President, in his Address, announced that a Press Commission will be constituted. We are yet in the dark as to the terms of reference or personnel of that Commission. I presume that the Press Commission will be on the model of the Royal Commission on the British Press, which submitted its report to the British Parliament in the year 1949. I wish, in this connection, that the terms of reference of the Press Commission in India should be as wide and as comprehensive as the Royal Commission on the British Press. The terms of reference should authorise the Commission to enquire into and investigate the concentration of ownership and control and management of the Press in the hands of a few large business magnates and capitalists. The Commission must enquire as to how far this tendency towards concentration has affected the free expression of opinion and the accurate presentation of news. It should also enquire under what conditions our working journalists are living and how those conditions could be improved. I think this Commission will make enquiries into all these matters which are essential for the preservation and promotion of liberty of the Press, and that this Commission will come to a decision as to the establishment of a General Council of the Press where there will be adequate representation of all sections, that is, proprietors, directors, working journalists, etc. I also submit that the personnel of this Press Commission should be broadbased. It should have Members representing proprietors of the Press; it should have adequate representatives of the working journalists. Its terms of reference should be as wide as suggested by the meeting of the working journalists in their last meeting at Delhi. I also submit that the terms of reference should be broad-based.

I venture to submit two small points in respect of Ajmer. I have to bring to the notice of the hon. Minister for Home Affairs that there is still a single Judicial Commissioner who exercises all the powers of the High Court. Under the provisions of the old Civil Procedure Code, only cases of the value of over Rs. 10,000 would go to the Privy Council. Under the new Constitution, it is only cases of the value of Rs. 20,000 and over

[Pandit M. B. Bhargava]

that go to the Supreme Court. Therefore, in a way, the powers of the High Court, being exercised by a single person, have become wider than they were before. I submit, therefore, that a certain device should be found whereby the public of Ajmer should have the benefit of a decision by the highest court consisting of more than a single Judge. Similarly, the sentence of death in Ajmer is confirmed by a single Judge while in the High Courts in other provinces, it must be confirmed by a Bench of Judges. This anomaly must be brought to an end. Either there must be another Judicial Commissioner appointed or for certain purposes of administration of Justice, Ajmer may be tacked on to some nearby High Court.

In respect of the Delhi Circuit Court, there is a great complaint. After a very long demand, the Circuit Court was established in Delhi. But, only after a few months, it has left Delhi and its offices have also left along with the Court with the result that the litigating public is being inconvenienced to a great extent. They have to institute new appeals in Simla and they have to engage pleaders for that purpose. When the Circuit Court comes to Delhi,—the date of its coming is not yet known—the parties have to engage other lawyers. I submit that the Circuit Court should meet periodically and the public should know beforehand when it is going to meet. Secondly, its offices should be permanently located in Delhi so that the litigating public may not be put to any inconvenience.

श्री काजरोलकर: माननीय उपाध्यक्ष जी, मुझे प्रसन्नता होती है कि आज आप ने मुझे बोलने का मौक़ा दिया । इस के लिये मैं आप का आभारी हूं । मेरी मातृभाषा मराठी होने के कारण मेरी हिन्दी में ग़लतियां होंगी, इस लिये आशा है कि यह सभा मुझे क्षमा करेगी । सन् १९४७ में भारत स्वतन्त्र हुआ । उस के बाद विधान में हम हरिजनों के लिये संरक्षण दिया गया है और यह संरक्षण दस वर्ष के लिये है । आप सब को मालूम होगा कि महात्मा गांधी ने जब पूना क़रार किया तो अपनी जान की बाजी लगा कर तय कराया कि हरिजनों के ऊपर जो जुल्म होते हैं वह जल्द से जल्द मिटाये जायें । उस वक्त पूना करार में यह आश्वासन दिया गया कि सारे जुल्म बंद किये जायेंगे लेकिन मुझे दुःख होता है कि जो वचन उस वक्त दिया उस की पूरा करने का प्रयत्न नहीं होता है । महात्मा जी ने कहा था:

> "Without the removal of the taint, *swaraj* was a meaningless term."

सरकार ने भी बहुत से क़ानूनों में अस्पृश्यता के हटाये जाने की बात लिखी है लेकिन उस पर अमल नहीं होता है । इसलिये मेरी प्रार्थना है कि हमारे होम मिनिस्टर जितने क़ानून बनाते हैं उस पर ठीक तरह से अमल करने की कोशिश करें । मैं जानता हूं कि हमारी गवर्नमेंट इस तरह की कोशिश कर रही है, लेकिन जिस तरीक़े से यह कोशिश हो रही है उस से हमारा काम पूरा नहीं हो सकता । आप जानते हैं कि हमारी सरकार ने निर्वासितों के प्रश्न को जो कि इतना कठिन था पांच सालों में किसी हद तक निपटाया है । यह ठीक है कि पूरी तरह से वह इस को नहीं निपटा सकी है लेकिन फिर भी बहुत हद तक यह काम समाप्त हो चुका है । इसी तरह से हरिजनों की भी बड़ी भारी समस्या है । आज सैकड़ों वर्ष से जो अस्पृश्यता हमारे ऊपर लदी हुई है वह पांच दस बरस में नहीं जा सकती है । इस के लिये बहुत जोरों से प्रयत्न करने चाहियें । जब शरणार्थियों के लिये हमारी सरकार ने करोड़ों रुपया खर्च किया है, मैं जानता हूं कि गत वर्ष क़रीब क़रीब ३९ करोड़ रुपया खर्च हुआ है और अभी और भी खर्च करने जा रही है उसी तरह से हरिजनों के लिये भी कुछ न कुछ करना चाहिये । पंच वर्षीय योजना में शेड्यूल्ड कास्ट के लिये रक़म नहीं रखी गई है । इस के लिये

मुझे दुःख है । मेरा कहना यह है कि इसी दस वर्ष के अन्दर हरिजनों की आर्थिक, शैक्षणिक और सामाजिक स्थिति को सुधारना चाहिये और अगर इस दस वर्ष के अन्दर हमारी गवर्नमेंट इस के लिये ज़ोरों से कोशिश नहीं करेगी तो हमारी समस्या हल होने वाली नहीं है ।

हमारे माननीय होम मिनिस्टर साहब के पास शिड्यूल्ड ट्राइब्स और शिड्यूल्ड कास्ट्स के लिये एक डिपार्टमेंट है । शिड्यूल्ड ट्राइब्स के लिये पंच वर्षीय योजना में १८ करोड़ रुपया रखा गया है। इस की मुझे प्रसन्नता है कि शिड्यूल्ड ट्राइब्स के लिये १८ करोड़ रुपया रखा है क्योंकि वह लोग भी आज तक बहुत बुरी हालत में थे । ठक्कर बापा ने उन का दुःख दूर करने के लिये बहुत कोशिश की । उन के लिये हमारी सरकार ने १८ करोड़ रुपया रखा है । लेकिन हरिजनों के लिये पंच वर्षीय योजना में कुछ भी नहीं रखा है । गवर्नमेंट के पब्लिकेशन डिपार्टमेंट (Publication Department) ने एक पुस्तक प्रकाशित की है । उस में लिखा है कि :

> "Provision of a sum of 18 crores in the Five Year Plan for the Uplift of the Harijan and other backward classes."

मैं जानना चाहता हूं कि यह जो गवर्नमेंट ने पब्लिकेशन किया है यह सच है । अगर यह सच है तो मुझे प्रसन्नता होगी । लेकिन मैं जब तक समझता हूं कि यह १८ करोड़ रुपया शिड्यूल्ड कास्ट्स के लिये नहीं है । यह तो शिड्यूल्ड ट्राइब्स के लिये है । मैं माननीय होम मिनिस्टर साहब से प्रार्थना करूंगा कि शिड्यूल्ड कास्ट्स (हरिजनों) के लिये भी कुछ रक़म रखी जानी चाहिये । अगर उन की शिक्षा के लिये विशेष प्रबन्ध नहीं किया जायगा तो दस साल में तो क्या पचास साल में भी कुछ होने वाला नहीं है ।

दूसरी बात नौकरियों के बारे में है । नौकरियों के लिये हमारी सरकार ने हरिजनों के लिये पब्लिक सरविस कमीशन (Public Service Commission) के द्वारा साढ़े बारह फ़ी सदी और डाइरेक्ट रिक्रूटमेंट (Direct Recruitment) से सोलह सही दो बटे तीन प्रतिशत रखा है । लेकिन हम देखते हैं कि बहुत से डिपार्टमेंट ऐसे हैं कि जिन में हमारे हरिजनों का परसेंटेज बहुत कम है । अभी सेंट्रल गवर्नमेंट ने जो किताब प्रकाशित की है उस के अनुसार विभिन्न मिनिस्ट्रियों में रेसपांसिबिल पोस्ट्स (responsible posts) पर हरिजनों की संख्या इस प्रकार है :

	संख्या
मिनिस्ट्री आफ़ ऐक्स्टरनल ऐफ़ेयर्स	३
मिनिस्ट्री आफ़ वर्क्स प्रोडक्शन एण्ड सप्लाई	६
मिनिस्ट्री आफ़ कम्युनिकेशन	२
मिनिस्ट्री आफ़ लेबर	३४
मिनिस्ट्री आफ़ कामर्स एण्ड इंडस्ट्री	३
मिनिस्ट्री आफ़ नेचुरल रिसोर्सेज	७
आफ़िस आफ़ दी चीफ़ लेबर कमिश्नर	१४
डाइरेक्टर लेबर ब्यूरो एंड सप्लाई	१

मैं समझता हूं कि इन मिनिस्ट्रियों में सिर्फ़ एक लेबर मिनिस्ट्री ही ऐसी है जिस में कि हमारा कोटा (quota) भरा सा जान पड़ता है । लेकिन दूसरी मिनिस्ट्रीज़ के अन्दर सरविसेज में हमारा कोटा बहुत ही कम है । मैं समझता हूं कि क्योंकि हमारे लेबर मिनिस्टर श्री जगजीवन राम जी हरिजन हैं इसलिये उन्होंने इस तरफ़ ध्यान दिया । इसी से यह कोटा पूरा भर गया है । दूसरी मिनिस्ट्रीज़ से भी मेरी यह प्रार्थना है कि उन में रेसपांसिबिल पोस्ट्स के लिये जो हरिजनों का कोटा है उस को भी पूरी तरह से भरा जाय ।

[श्री कजरोलकर]

हमारे पास बराबर इस बात की शिकायतें आती हैं कि शिड्यूल्ड कास्ट के अच्छे उम्मीदवार नहीं मिलते। जब हमारे कैंडीडेट (candidate) यूनियन पब्लिक सरविस कमीशन (Union Public Service Commission) के सामने जाते हैं तो वह लिखित परीक्षा में तो पास हो जाते हैं लेकिन वाइवावोसी (*viva voce*) के अन्दर वह फ़ेल होते हैं। इस का कारण मैं यह समझता हूं कि हमारे हरिजनों को शिक्षा मिलने के मार्ग में बहुत सी कठिनाइयां हैं। जो स्पृश्य हिन्दू हैं उन की तो आधी शिक्षा घर पर ही हो जाती है। उन के माता पिता शिक्षित होते हैं इसलिये उन की आधी शिक्षा घर पर ही हो जाती है। उन को बराबर पत्र बांचने का मौक़ा मिलता रहता है। जब हरिजन कैंडीडेट्स से पब्लिक सरविस कमीशन में प्रश्न पूछा जाता है और वह कोई प्रश्न का उत्तर नहीं दे पाते तो उन को नापास कर दिया जाता है। माननीय श्रीयुत राजभोज ने कहा था कि जब कोई हरिजन कैंडीडेट पब्लिक सरविस कमीशन के सामने जाता है तो उस से पूछा जाता है कि आप कौन सी पार्टी के हैं। मैं नहीं समझता कि यह पूछने से पब्लिक सरविस कमीशन का यह प्रयोजन होता है कि वह कौन सी पार्टी का है। उस का शायद यह जानने का मंशा होता है कि उस की कम्युनिटी (community) के अन्दर उन का लीडर (leader) कौन है। तो मेरी यह प्रार्थना है कि इन हरिजन कैंडीडेट्स के साथ थोड़ा कन्सेशन (concession) होना चाहिये। आप देखिये कि जो हरिजन कैंडीडेट ग्रेजुएट (graduate) होते हैं, और जिन को अच्छे मार्क (marks) मिले होते हैं और जो लिखित परीक्षा में पास हो जाते हैं उन को वाइवावोसी में नापास कर दिया जाता है। तो मेरी प्रार्थना है कि हमारे होम मिनिस्टर साहब पब्लिक सरविस कमीशन को कोई इस तरह का इंस्ट्रक्शन (instruction) दें दें कि वह हमारे हरिजन कैंडीडेट्स को ज़रा सहानुभूति से देखें। यह तो रेसपांसिबिल पोस्ट्स के बारे में हुआ। इस के अतिरिक्त सैक्रेटेरियट पोस्ट्स में भी हरिजनों का बहुत कम कोटा है। जब तक आफ़िसर्स कन्सर्न्ड (officers concerned) इन हरिजन कैंडीड़ेट्स को सहानुभूति से नहीं देखेंगे तब तक चाहे हमारे कैंडीडेट्स कितने भी योग्य हों वह पास नहीं हो सकते। मैं यह जानता हूं कि बहुत से आफ़िसर्स सहानुभूति रखते हैं। लेकिन बहुत सी जगह उन को सहानुभूति नहीं मिलती है और वह नापास कर दिये जाते हैं और इस तरह उन को डिसकरेजमेंट (discouragement) होता है। इस का नतीजा यह होता है कि जब उन को इतनी मुश्किल से शिक्षा देने पर भी पोस्ट्स (posts) नहीं मिलतीं और वह नापास कर दिये जाते हैं, तो उन के माता पिता को उन को शिक्षा देने का उत्साह नहीं रहता।

श्री पी० एन० राजभोज: मेरे बारे में जो कहा गया है वह ग़लत है। मैं यह सुधार देना चाहता हूं कि जो यह कहा गया है कि शिड्यूल्ड कास्ट्स के साथ पब्लिक सरविस कमीशन में न्याय नहीं होता, यह ग़लत है।

श्री काजरोलकर: उस दिन मेरे भाई राजभोज ने कहा था कि उन से पब्लिक सरविस कमीशन के सामने ऐसे प्रश्न किये जाते हैं कि तुम कौन सी पार्टी के हो, अम्बेडकर पार्टी के या जगजीवन राम पार्टी के। जो जगजीवन राम पार्टी का होता है उसे पास कर दिया जाता है और जो अम्बेडकर पार्टी का होता है उसे नापास कर दिया

जाता है । मेरा ख्याल यह है कि यह प्रश्न करने से पब्लिक सरविस कमीशन का आशय यह होता है कि यह लड़का यह जानता है या नहीं कि कम्यूनिटी में कौन कौन लीडर है । मैं यह जानता हूं कि पब्लिक सरविस कमीशन के कई मेम्बर भी उन की तरफ़ सहानुभूति रखते हैं । मैं यह कहना चाहता हूं कि जब तक शिड्यूल्ड कास्ट के कैंडीडेट्स की तरफ़ सहानुभूति से नहीं देखा जायगा तब तक सब हरिजन अप टु दी मार्क (up to the mark) नहीं मिलेंगे और हमारा कोटा बहुत दिन तक भरने वाला नहीं है । इसलिये मेरी प्रार्थना है कि हमारे मिनिस्टर साहब इस पर ध्यान दें ।

उपाध्यक्ष महोदय : अब खत्म कीजिये । I have rung the bell several times.

श्री काजरोलकर : अभी तक शिड्यूल्ड कास्ट कमिश्नर कुछ नहीं कर पाये हैं । विधान को पास हुए दो बरस हो गये हैं और दस बरस में से दो बरस निकल गये हैं । अभी तक यह कमिश्नर कुछ नहीं कर पाये हैं । आप जानते हैं कि हिन्दुस्तान में २८ स्टेट्स हैं और उस कमिश्नर को इन २८ स्टेट्स के हरिजनों की समस्याओं को देखने के बाद अपनी रिपोर्ट देनी होगी ।

इस के अलावा इस कमिश्नर के पास कोई पावर (power) नहीं है और उन के पास पैसा नहीं है । तो कुछ काम होने वाला नहीं है । मेरी प्रार्थना है प्राइम मिनिस्टर साहब से और होम मिनिस्टर साहब से और मेरे मित्र फाइनेन्स मिनिस्टर चिन्तामणि देशमुख जी से कि वह शिड्यूल्ड कास्ट्स के लिये बजट में कुछ ज्यादा ऐमाउंट रखें और जो हमारी चिन्ता है उस को हमारे चिन्तामणि जी दूर करें । इतना कह कर मैं आप से विदा लेता हूं ।

(*English translation of the above speech*)

Shri Kajrolkar (Bombay City—North—Reserved—Sch. Castes): Sir, I am glad you have given me an opportunity to speak in the House today; and I am thankful to you for this kind act of yours. Marathi being my mother tongue, I may not be able to speak correct Hindi and I hope the House would excuse me for my faulty language. Sir, India became independent in the year 1947. After that, safeguards were provided for the Harijans in the Constitution and these safe-guards would continue for a period of ten years. All of you might be knowing that at the time of the Poona Pact Mahatma Gandhi even at the cost of his life had called upon the people of the country to put a stop to all the atrocities and excesses committed on the Harijan community. An assurance was given in the Poona Pact at that time that all the excesses done to the Harijans would be stopped immediately; but I am sorry to say that no effort is being made to give effect to those assurances and promises. Mahatmaji had said "without the removal of the taint, *swaraj* was a meaningless term." The Government too have made a mention of the removal of untouchability in many a law, but those laws are not being enforced. So, my submission is that whatever legislations are being introduced by the hon. Home Minister at present, an effort should be made to implement them too. I know our Government are making efforts in this direction; but the manner in which these efforts are being made, cannot help us in our mission. You know Sir the Government have however, to some extent solved the difficult problem of the displaced persons within a short period of five years. It is true that many things are yet to be done in that connection; notwithstanding that the problem of rehabilitation of the displaced persons has been completed to a very great extent.

The problem of untouchability which exists in the country from the last so many centuries cannot be solved within a period of five or ten years as has been the case with the refugee problem. But we shall have to make a major effort in that direction. Crores of rupees have been spent by the Government on the refugees. Last year alone about thirty-nine crores of rupees were spent over them. My contetion is that something must be done for the Harijans as well in the same manner as has been done for the refugees. No amount of money has been earmarked for the welfare of the

[Shri Kajrolkar]

Scheduled Castes in the Five Year Plan and this is certainly a matter of regret. I say that the economic, social and educational conditions of the Harijans should be improved during these ten years and if during that period our Government will not try its level best, this problem is not likely to be solved.

There is a separate department of the Scheduled Castes and Scheduled Tribes under the Hon. Minister of Home Affairs. So far as the Scheduled Tribes are concerned a sum of rupees eighteen crores has been earmarked for them. I am happy that a sum of eighteen crores has been earmarked for the welfare of the Scheduled Tribes people because their condition too is far from satisfactory. Shri Thakkar Bapa did his best to improve their lot. But I am sorry to say that no sum has been kept apart in the Five Year Plan for the welfare of the Harijans. The Publication Department of the Government has published a book. It reveals the "provision of a sum of 18 crores in the Five Year Plan for the uplift of the Harijans and other backward classes." I would like to know whether these words are true. It is, no doubt, a matter of pleasure if they are so. But my impression is that this sum of rupees eighteen crores is meant for the Scheduled Tribes only and not for the Scheduled Castes. I would request the Government that some amount of money should be earmarked for the welfare of the Scheduled Castes *i.e.* Harijans as well. If no special arrangements would be made for their education, nothing would materialise even in fifty years' time leave aside ten.

The second thing relates to Government jobs. Our Government have reserved for the Harijans a quota of 12½ per cent of the total posts which are recruited through the Public Service Commissions and so far as direct recruitment is concerned they have kept a reservation of 16⅔ per cent for them. But we see there are several such departments in which the percentage of Harijan employees is very low. According to a book recently published by the Central Government the number of Harijans working on responsible posts in the various Ministries is as follows:

Ministry of External Affairs	**3**
Ministry of Works, Production and Supply	**6**
Ministry of Communications	**2**
Ministry of Labour	**34**
Ministry of Commerce and Industry	**3**
Ministry of Natural Resources	**7**
Office of the Chief Labour Commissioner	**14**
Director Labour Bureau and Supply	**1**

I think there is only one such Ministry among all these ministries where our quota seems to be full. So far as the other ministries are concerned our quota in the services is very small. I think that our Minister of Labour Shri Jagjivan Ram has paid due attention to this problem only because he himself happens to be a Harijan. That is why our quota there is full. My request to the other Ministries as well is that they too should fill up the quota that has been reserved for the Harijans with regard to recruitment to responsible posts.

We have been receiving complaints that qualified candidates are not found among the scheduled castes. When any of our candidates appear before the Union Public Service Commission in connection with some post they get through the written test but fail to impress the members of the Commission in *viva voce*. The reasons therefor, I think, are that Harijans are subject to a number of difficulties and disabilities in getting education. The caste Hindu candidates get half of their education at their homes. Their parents, generally speaking are educated and this factor helps them to a great extent in their educational pursuits. They receive newspapers and periodicals regularly. When a Harijan candidate is asked to reply to any question in any Public Service Commission examination, he fails to give a satisfactory answer to that question and so he is rejected. My hon. friend Shri Rajabhoj has made a complaint that when a Harijan candidate is interviewed by members of the Public Service Commissions, he is asked as to which party he belongs. I do not think that by asking such questions they actually mean to enquire to what party the candidate belongs. Perhaps what they mean to ask is as to who is their real leader in the community. So my request is that some concessions should be given to these Harijan candidates. Harijan candidates who are graduates and who get good marks in the written examination, are rejected in *viva voce*. My submission is that our hon. Minister of Home Affairs should issue some sort of instructions to the Public Service Commissions that the cases of Harijan candidates should be sympathetically considered. That was with regard to the responsible posts. Besides that the quota of the Harijan employees in the Secretariat as well is very small. Unless the officers concerned take up the case of Harijan candidates sympathetically, they are not likely to get through. I know that a good number of officers are sympathetic, but there are other occasions also where there is lack of sympathy and candidates are rejected and discouraged with the result that the parents seeing that posts are not being given even to those persons who have already got their education after much difficulty and suffering become hesitant to give education to their children.

Shri P. N. Rajabhoj (Sholapur—Reserved—Sch. Castes): The words attributed to me are wrong. I would like to repudiate the charge that justice is not being done to the scheduled castes candidates by the Public Service Commission.

Shri Kajrolkar: The other day my friend Shri Rajabhoj had said that questions, such as to which party any particular candidate belonged, whether he belonged to Ambedkar's party or to Jagjivan Ram's party, were being asked from candidates. And according to him the candidates who belonged to Jagjivan Ram's party were generally selected while others were rejected. Personally, I think the Public Service Commissions ask this question only to know whether the candidate knows as to who is his community leader. I know a good number of members of Public Service Commissions are sympathetic towards them. What I mean to say is that unless you consider the case of the scheduled castes candidates sympathetically, you will not find all of them up to the mark and the quota reserved for us will remain incomplete for a very long time. So, my request is that the hon. Minister should pay attention to this problem.

Mr. Deputy-Speaker: Please finish it now. I have rung the bell several times.

Shri Kajrolkar: So far as the Scheduled Castes Commissioner is concerned he has not been able to do anything concrete uptil now. Two years have already passed since the adoption of our Constitution, that is to say, two years have passed away out of the prescribed period of ten years. The Commissioner has not done anything concrete so far. You know Sir, there are twenty-eight States in India and the said Commissioner has to submit his report after studying the problems of Harijans in all these States.

Besides that, this Commissioner has no executive authority nor has he any finances. That is to say, nothing solid is likely to be done by him. My request to the hon. Prime Minister, to the hon. Home Minister as well as to the hon. Minister of Finance, Shri Chintamani Deshmukh, is that a special sum should be provided in the Budget for the scheduled castes and thus our anxieties should be removed. With these words Sir, I thank you once more.

Shri Rishang Keishing: Within the short time at my disposal, I want to speak on the cut motion which I have moved. On account of the lack of proper command over the language in which I am speaking to you now, I shall not be able, to place before you all my viewpoints, and I feel hesitant to speak. But when I realise that in my humble way and through my faulty language I am voicing the grievances and feelings of the millions of the tribal people, I feel encouraged to speak.

The problem of the 25 million tribal people living in jungles, mountains, dense forests, and dirty slums of the different parts of India, is indeed a stupendous one. For several centuries they have been the victims of untold harships, sufferings, and difficulties, and they have been all through exploited and out-casted by the so-called advanced communities of the plains. If we look into the past history of these tribes, we will find series of instances of humiliation and inhuman treatment meted out to them by the advanced community. However, the people of India, after the achievement of independence, have taken a vow to forget all the past, to close the old chapter, and begin afresh every thing with new hopes and aspirations, irrespective of castes, creeds and religions.

The tribal people could roughly be divided into two categories, the hill tribes (those tribal people who live in the hills), and the plains tribes (those who live in the plains.) The main problems facing this community of tribal people are land, communication, education and medical aid. The Government's policy for the improvement of the tribal people should be to see that these people are made economically self-sufficient, and to do that I feel that more of Government's resources and attention should be diverted to dealing with the problem of land

[**Shri Rishang Keishing**]

and communications. Generally speaking, the hill people are not being faced with the shortage of land, their problem, is the improper utilisation of the land. It is partly due to ignorance, and partly due to non-existence of good roads. Once good roads are constructed, and tribal areas are linked up with the rest of the country, and the markets of the country are brought within the purview of these tribal people, they will automatically try to utilise their lands in the best possible way by engaging those lands in intensive and extensive cultivation, and thereby increase the production, and raise the economic conditions of the people. So far as the plains people are concerned, there is dearth of land. They have easily and severely been subjected to exploitation all along. The Government must see that these people are properly provided with sufficient lands. Perhaps, you will be aware of the independent nature of these tribal people, who are ever ready to help each other and to others, but who will never be subservient to any person. Such was the unique characteristic of these people. But to-day if you look at their condition, you will find that tragically enough, they are being employed as scavengers, sweepers, *darwans,* servants, and what not. The Government of India, having pledged themselves to the task of establishing a classless society, should see that these tribal people also are given an honourable treatment. They must realise that these people once as masters of this country, lived an honourable and respectable life and therefore, I do not see any reason why they should not be allowed to get back a portion of their past life in the Republic of India which has pledged to establishing of a classless society.

Let us presume that the Indian Government has got enough money with big schemes for the development of the tribal people. Will the tribal people invite the Government of India to come up to their areas without any fear and suspicion to carry out their work? Pandit Nehru, our Prime Minister, in his speech at the Tribal Conference said:

> 'It involves a psychological approach. What we ought to do is to develop a sense of oneness with those people, a sense of unity and understanding.'

Without the co-operation of the people and a complete understanding of their condition, all the schemes, however big they may be, are bound to fail. The first thing that we have to do today is to establish a healthy understanding between the tribal people and the people living in the plains. As our Prime Minister said, those people who come there must be able to tell them that they are coming there not to do any harm to them, not to take away anything from them, but with the genuine intention to help them. The Government and also the people living in the plains must accept that their fear is genuine and based on facts. For several years, they have been exploited by the capitalists and small traders of the plains. Their greatest fear is with regard to land. They feel, that once these plains people are allowed to come up to their areas and settle down there, as the latter are richer and more cultured they will either purchase the lands away from them or take them forcibly from them. The Government of India and the plains-people must give them an assurance that their lands will be completely protected. As Pandit Nehru said:

> "Supposing their lands are not protected, I have no doubt, that unscrupulous people from the outside will come and take possession of those lands. They will take possession of the forests and interfere with the lives of the tribal people, if normal factors are allowed to interfere or to have free play. Therefore we must give them a measure of protection in their areas, so that no outsider can interfere with them except with their own consent and goodwill."

The tribal people have so far been able to contact only certain sections of the plains people, the capitalists and the small traders whom they look upon as exploiters and blood-suckers. Unfortunately they have not been able to come in contact with the good people of the plains. That is why they generally have the impression that the plains people are wicked and bad. For this, they are not to be blamed but the advanced communities living in the plains are to be blamed.

An Hon. Member: Say, the Government.

Shri Rishang Keishing: The Government officials can act as agents or mediators, in establishing good relations between the hill people and the plains people or the Government. In this connection, our Prime Minister has said:

> "He must be a man or woman, whose mind, or even more so,

whose heart understands their problem, who is enthusiastic in this business. They must be prepared to share his life, with the tribal folk, he must be prepared to enter their huts, talk to them, sit with them, smoke with them, if necessary live their lives and not consider himself as something superior and thereby gain their confidence and respect."

If we are to judge officials from this point of view, all of them or at least almost all of them are either sacked from their jobs, or given some special training on this subject. When the officers go to these tribal areas, they become semi-god or super-human beings. They will not move out of their chairs and they will not establish contact with the masses of the tribal people. Even when the tribal people come to see them from a great distance, they will be ill treated. They will not even talk to them properly and they depend for their decisions in regard to all matters on the report of their illiterate and ignorant *chaprasis*. For an example, officers on account of their laziness often send their *chaprasis* for enquiries of cases which occur several miles away or even 100 miles away from their headquarters. The *chaprasis* being ignorant and illiterate, will bring incorrect and bias reports and the officers will make their decisions according to the reports presented by the *chaprasis*. So by relying on these ignorant people, they have done a great harm to the social life, customs and usages of the tribal people. These officers instead of creating better understanding and relationship, are creating ill feeling, disunity and enmity.

Now, allow me, to place a few suggestions. As I have stated above, the lands, culture and language of the tribal people must be given full protection. The tribal people, particularly those tribes living in the plains, must be provided lands. How to get lands is the problem. You can solve this by abolishing the *zamindari* system and reclaiming waste and fallow lands and distributing them in such a way that the tribal people get a substantial portion of them.

Roads are very important for the economic uplift of the tribal people. So roads must be constructed. It is no use saying that road-building in the hill area is very expensive. I have often heard such arguments from high officers. It will not at all be expensive if you care to consider the working capacity, the availability of labour and also of voluntary labour. It will not at all be difficult to construct many roads in the hills also.

Again, the Government must be prepared to grant loans to the tribal people. They know that the tribal people are so poor that they do not have even a single pie and therefore they must be granted loans and encouraged to start co-operative societies of producers and consumers. This will be a great asset and will eliminate the capitalist from the hills and from the tribal areas.

Some of the undemocratic and uneconomic customs of the tribal people should be immediately abolished. To give education to the tribal people, primary schools must be established everywhere and secondary and high schools wherever possible and more scholarships for higher education should be arranged for the tribal students. At least one well-equipped hospital and some dispensaries should be established in each sub-division. Cottage industries also should be introduced. Agricultural and technical education are required by these people. So such institutions may be established in important tribal centres.

Lastly, adequate facilities must be made available for the tribal people for appointments in the State and Union administrative services. Such officers as that of the Tribal Commission should be appointed from among the tribal people.

Now, to carry out all these plans, Government will require money. Government may excuse themselves by saying 'We have no money; we are short of funds.' These poor people who are anxious to improve and to develop themselves know where public money is locked up; and how public money is being wasted. If the Government nationalise the key industries and the foreign-owned industries, tax the rich people more, impose a capital levy and stop the privy purse, they will have plenty of money in their hands to help the tribal people and to raise these people to the level of other advanced communities. In the Constitution a promise has been made that the tribal people will be raised to the level of other advanced communities within ten years. If the Government are not going to undertake any drastic and progressive economic measure, we do not expect any change in the life of the tribal people. Perhaps

[Shri Rishang Keishing]

after ten years also the condition of the tribal people will remain as it is. In the last Tribal Conference, we know that two crores of rupees have been sanctioned for two and a half crores of the tribal people. If you divide it, ecah person will get twelve annas, and as a portion of it will go to the officers again, it will be eight annas. On eight annas Government wish that the tribal people should be happy because they will have all round development. No sensible man will feel happy because eight annas have been set apart for the development of the tribal people. I would press the Government to sanction more money if they really want to help the tribal people. If that is not done, even after ten years, what is guaranteed in the Constitution will remain an unfulfilled promise, if not a mere desire of the framers of the Constitution to help the tribal people

Shri Frank Anthony: I have sought through my cut motion to focus attention on the fact that some of the more vital guarantees given to the Anglo-Indian community and also to the other minorities are either being stultified or being rendered nugatory. I think I can claim that for a period of more than ten years I have never moved a specific cut motion in respect of my community. I think I can honestly claim that I have endeavoured to eschew anything savouring of narrow communalism. The only reason why I have moved this specific cut motion is because of the vital urgency involved in this matter and the immediate need to rectify this violation guarantees in respect of a small minority.

I have over and over again emphasised my gratitude and sense of appreciation to the Congress party for the very generous way in which they treated the minorities when the Constitution was being framed. I am aware that these guarantees, so far as the Central leaders are concerned, were intended to be implemented. I do not for one moment believe that the Central authorities want these guarantees to be whittled down or be stultified in any manner whatsoever. Some of the guarantees to which I shall refer, are guarantees which, in the ultimate analysis, have to be implemented by the State Governments; the others to which I shall refer, are the responsibility of the Central authorities. But it is not my intention although all these guarantees which have been embodied in the Constitution and refer to the minorities are the ultimate responsibility of the Home Ministry to point a finger at the Ministry. I have the greatest respect for the Home Minister; I have had a considerable amount of contact with the Secretary of this department and for both of them I have nothing but the most unqualified respect. But I feel that the stultification of these guarantees is due either to an unawareness of the implications or even of the existence of these guarantees, and, in some cases where they have been evaded, because of some petty and minor official deliberately evading these guarantees owing to some hang-over of some sense of hostility or because he feels he is being clever in evading these guarantees to a minority which he thinks he ought not to like. The first guarantee to which I wish to draw the attention of the Home Minister is contained in article 30 of the Constitution. This guarantee gives to all minorities, whether based on religion or language, the right to establish and administer educational institutions of their choice. The words to which I wish to draw the particular attention of the Home Minister are "of their choice". I am sorry that the Leader of the House is not present here today; otherwise he may have been able to recall that when this particular provision was on the anvil and when it was in the stage of preliminary consideration in Constitution House. I had particularly asked that to this guarantee the words should be added: "through the medium of their mother tongue". And no less a person than Pandit Nehru expressed his opinion that these words would be redundant, that here was a specific guarantee being given to every minority, whether based on religion or language, to establish and administer educational institutions of their choice. According to Pandit Nehru—and I felt he was quite right—the guarantees were specific. "Choice" obviously means choice, and that any minority, given this right, would obviously choose to administer an institution where the medium of instruction is the mother tongue of that minority. I, however, had certain fears. Unfortunately—and I say this advisedly—educational policy is not a Central subject. No two State Governments—we were aware of this—have the same educational policy, and I had entertained a serious fear at that time that some State, actuated by intolerant, narrow motives, might pursue policies which would either stultify or render stillborn this guarantee. I regret to say that that fear gives promise of materialising today. I must make it very clear to the Home Minister that I am not entering a plea for the perpetuation of reactionaryism in education. No one realises more than I do that any minority which refuses to move with the currents of social and educational reform is deliberately inviting social and educational extinction. I want to clarify the position. There are now more than 300 schools and educational institutions in this country which are designated "Anglo-Indian". Let me make it very clear that they are not Anglo-Indian in any narrow communal sense. In most of these institutions at least 50 per cent. of the pupils are drawn from other communities. I venture to assert that today these schools are receiving unqualified appreciation, which is proved by the fact that they have to maintain long waiting lists of pupil applicants of every other community. Uniformity and co-ordination of curricula in these schools are sought to be maintained by what is known as the Inter-State Board of Anglo-Indian Education. That Board consists of a majority of Hindu educationists. Some of them are eminent educationists. And I have the privilege of being the elected Chairman of the Board. I venture to submit that through the proposals of that Board these schools today are in the vanguard of the educational progress of the country. We have given every conceivable hostage to the fact that Hindi is and should be the national language. Hindi today is taught at increasingly higher standards from the lowest class in every Anglo-Indian school. More than that where the regional language differs from Hindi, we teach it from the primary stage. These schools are appreciated by the Hindi educationists who are conversant with the contribution these schools are making to the whole scheme of national progress.

But what has been happening, particularly in the State of Uttar Pradesh and the State of Madhya Pradesh? One is the home State of the Home Minister, and the other is my home State. Education Boards in Uttar Pradesh and Madhya Pradesh are pursuing polices—I do not say deliberately—policies which are making stillborn this guarantee embodied in article 30. Within a few years it will be utterly impossible for any minority to administer any educational institution of its choice. I do not know whether the Home Minister will take this stand—I do hope he will not—that after all these Education Boards are autonomous bodies and no one can blame the State Governments for the policies, however unwise they may be. of Education Boards. I am not convinced by this process of reasoning. I do not believe any Education Board, however autonomous it may be in theory, can practise narrow and intolerant policies unless the State Government concerned either secretly encourages or at least connives at those policies. Now, I am not pointing any finger at the Chief Ministers of the States. I happen to know Pandit Pant and I feel I can claim him as my friend. It is not the men at the top, who are formulating educational policies; it is the little, myopic pygmies who are making education the plaything of politics. That is happening today in Uttar Pradesh and in Madhya Pradesh. I would particularly ask that the Home Minister—because the untimate responsibility is his—sees that these policies, which are only being followed in these two States, are put into reverse gear.

The next article of the Constitution to which I wish to draw attention is article 336. I am not going to read it, but I wish to point out that under this article of the Constitution the Congress Party in the Constituent Assembly very generously guaranteed to the Anglo-Indian community the continuance of certain quotas in certain services, namely the Railways, Posts and Telegraphs and Customs. Now, I have not been able to get complete figures in respect of these reservations, but I have a communication sent to me very recently from the Directorate of Employment in Delhi, and my fear that this guarantee and these quotas were not being worked to was, I find well based. According to this communication which I have received from the Employment Directorate it is shown that for the quarter January to March, 1952, five vacancies throughout the Railways, the Customs and the Posts and Telegraphs were reserved for my community. That is an absurd figure. I know what the reservations were before 1947, and it was on the basis of the continuance of those reservations that this guarantee was formulated; and those reservations should run into many hundreds of vacancies. I would particularly ask the Home Minister—he may not be able to supply me with the figures—but I would ask him to supply me sooner or later—I hope it will be sooner—with figures for the year 1951-52 showing to what extent in each of these services reservations were made and what the vacancies were, and what proportion these reservations represent against the total of recruitment to these three services.

I would particularly draw the attention of the Home Minister to another

[Shri Frank Anthony]

device by which these service guarantees are being stultified, and this device is being resorted to particularly by the Railways and the Posts and Telegraphs. Overnight, educational qualifications have been raised and upgraded. Qualifications which up to 1947 formed the basis of recruitment to comparatively minor jobs were overnight upgraded either to the Senior Cambridge or the Degree standard. I am in a position to state that in spite of this overnight upgrading of these paper qualifications, the supervening of the babu complex, the placing of an undue premium on paper qualifications—in spite of these, efficiency has not been maintained. On the other hand, it is a recognised fact that efficiency has seriously fallen both in the Railways and in the Telegraphs. I was saying that, overnight, qualifications have been upgraded. And then there is another graver injustice which is there. I have cried myself hoarse for two years. I hope I will meet with better success so that the Government should be able to see that justice is done. Certain upgraded qualifications were prescribed after independence for new recruits. That upto a point may be understandable. But what I cannot understand and what I consider completely indefensible is that qualifications introduced in 1947 should be applied retrospectively to candidates recruited in 1943. This is what the Railways have done. This position is utterly indefensible and ununderstandable.

My last reference is to article 337 of the Constitution. Under this article the Congress party was again very generous to guarantee to the Anglo-Indian community continuance of certain educational grants. I have already mentioned that the schools are being increasingly appreciated. Today Hindu educationists who are conversant with this type of education recognise these schools as representing a valuable asset to the whole scheme of national education. But what is happening? What has happened in Uttar Pradesh? Under this guarantee for three years, *i.e.* from 1950 upto 1953, the amount of grant cannot be touched. But long before 1953 in Uttar Pradesh I regret to say that the grant has already been reduced by about 25 per cent. I want to make it clear, because I was largely responsible for piloting this provision in consultation with the leaders of the Congress party and making it part of the Constitution and I know what was intended there was the protection of the amount of grant. And I must say this that in other States this type of education has been most generously treated *e.g.* in Bombay and Bengal. Realizing the value of this edudation not only have they maintained the amount of grants in tact but they have on the contrary increased them. But in Uttar Pradesh the formula has been maintained in tact. The formula which forms the basis has been maintained in tact......

Shri Dhulekar (Jhansi Distt.—South): On a point of information, Sir. May I know whether Uttar Pradesh education policy can be condemned in this House? May I know, how is it relevant?

Shri Frank Anthony: On that point I have already made it very clear that while I concede that education is a State subject, this guarantee has beeen given by the Centre and the implementation of this guarantee must form, I submit, the responsibility of the Home Ministry and that is why is is not the State Government to which I can go and say that they are violating this provision of the Constitution and this must be implemented. I must come to the Centre and the Centre alone and ask the President through the Home Minister, under the special responsibility which has been assigned to the President, that he shall see that this particular guarantee—as all other guarantees—is implemented both in the letter and in spirit. As I said, this has been done in Uttar Pradesh and I would particularly ask the Home Minister to look into these matters. As I have already said, I am not pointing a finger at his Ministry but either from unawareness or perhaps because of the *malafides* of some petty officials these guarantees have been negated or stultified and I feel, that the Home Minister will, in looking into these matters, not permit something which was claimed as a gesture of generosity, not permit something which was given by one hand very generously by the Congress party to be taken away by another hand even if that hand may be operated at a provincial or a State or a parochial level.

Mr. Deputy-Speaker: The House now stands adjourned till four O'clock in the afternoon.

The House then adjourned till Four of the Clock.

The House re-assembled at Four of the Clock.

[MR. SPEAKER *in the Chair.*]

डा० सुरेश चन्द्र : Sir, with your permission I propose to speak in Hindi.

अध्यक्ष महोदय, किसी भी राष्ट्र की शक्ति दो नीतियों पर निर्भर होती है । पहली गृह नीति और दूसरी वैदेशिक नीति । मैं समझता हूं कि भारतवर्ष की गृह नीति और वैदेशिक नीति का आधार हमारे राष्ट्रपिता महात्मा गांधी ने रक्खा था । उन्होंने कहा था कि "पीस आन अर्थ" (peace on earth) अर्थात् संसार में शान्ति हो, और "गुडविल टु मैन" (goodwill to man) अर्थात् संसार के अन्दर सब मनुष्यों का कल्याण हो । इन दो नीतियों का राष्ट्रपिता के आदेश के अनुसार हमारे देश में जवाहरलाल नेहरू और सरदार पटेल ने अनुसरण किया । मैं समझता हूं कि जब आज हमारी संसद् होम पालिसी (home policy) पर बहस कर रही है तो यह हमारा फ़र्ज़ है कि इस समय जिस नेता ने हिन्दुस्तान की होम पालिसी को अर्थात् गृह नीति को क़ायम किया और देश के अन्दर शान्ति और अमन क़ायम किया उस के लिये हम अपनी श्रद्धांञ्जलि अर्पित करें । इस समय हमारा मन सरदार पटेल की तरफ़ जाता है और मुझे पूर्ण आशा है कि पूरी संसद् इस समय मेरे साथ सरदार पटेल के लिये श्रद्धांञ्जलि अर्पित करेगी ।

आज हिन्दुस्तान में यदि शान्ति और अमन है तो वह शांति और अमन हमारी गृह नीति के कारण है । हमारे बहुत से संसद् सदस्य यह भूल जाते हैं कि आज अशोक के बाद पहली मर्तबा हिन्दुस्तान पूर्ण रूप से स्वतन्त्र अवस्था में है और यह कि इस समय यह आवश्यक है कि हम अपनी गृह नीति और अपनी वैदेशिक नीति को मजबूत करें और हमारी यह दोनों नीतियां आज मजबूती के साथ चली आ रही हैं । मैं कई वर्ष विदेशों में रहा हूं और मैं अपने अनुभव से कह सकता हूं कि आज की हिन्दुस्तान की गृह नीति और वैदेशिक नीति के कारण हिन्दुस्तान का सिर ऊंचा है और हिन्दुस्तान की इज्ज़त तमाम दुनिया के अन्दर क़ायम है । मुझे मालूम है कि सन् १९४८ में जिस समय में फ्रांस में था, फ्रांस के लोग फ्रांस के विदेश मंत्रालय के अधिकारी मुझ से कहते थे कि हमें उम्मीद नहीं है कि आप का देश चल सकेगा और आप के देश से विदेशी सत्ता के जाने के बाद वहां पर अन्दरूनी अमन क़ायम रखना और विदेशों के साथ भी सम्बन्ध रख सकना कठिन है । लेकिन जब उन्होंने देखा कि हम ने अपने यहां जो लोग सैबोटेज (sabotage) की पालिसी चला रहे थे और जो अनसोशेबल एलिमेंटस (unsociable elements) हमारे देश में थे उन को खत्म कर के हम ने अपने देश में अमन और शान्ति क़ायम की तो वह चकित हो गये और वह हमारे देश के लिये और हमारे देश के नेताओं के लिये आदर की दृष्टि रखने लगे और मैं दावे के साथ कह सकता हूं कि मैं ने बारह वर्ष विदेशों में गुज़ारे हैं और जिस समय यह देश आज़ाद नहीं था उस में और आज में जब कि हिन्दुस्तान आजाद है बहुत अन्तर है । उस जमाने से आज इस देश की क़द्र बहुत ज्यादा है और वह क़द्र हमारी गृह नीति और हमारी वैदेशिक नीति के कारण ही है ।

किसी भी देश की नीति की सफलता और गृह नीति का उद्देश्य वहां की सबवर्सिव ऐक्टिविटीज (subversive activities) के कम या ज्यादा होने पर निर्भर है । हिन्दुस्तान ने भी आज़ादी के बाद हर तरह की सबवर्सिव ऐक्टिविटीज को दबाने का प्रयत्न किया । जिस प्रान्त से मैं आता

[डा० सुरेश चन्द्र]

हूं उस प्रान्त में भी बहुत तरह की सबवर्सिव ऐक्टिविटीज चलीं । मैं समझता हूं कि यह कहना अनुचित न होगा और यदि आप की इजाज़त हो तो मैं यह कहूंगा—कि हमारी होम पालिसी के ही कारण हैदराबाद में, तैलंगाना तथा दूसरी जगहों में अमन क़ायम हुआ । इस के बावजूद भी कि वहां के हमारे कम्यूनिस्ट भाइयों ने, जो इस संसद् में दूसरी तरफ़ बैठे हुए हैं उन के साथियों ने, हर तरह के अत्याचार और हर तरह के जुल्म ढाये हैं । मुझे कम्यूनिस्ट भाइयों से दुश्मनी नहीं है, न मुझे कम्यूनिज्म (Communism) से दुश्मनी है । लेकिन मैं समझता हूं कि हिन्दुस्तानी होने के नाते हमारा यह फ़र्ज है कि ह अपने हिन्दुस्तान में एक आज़ाद नीति को चला सकें और ऐसी आज़ाद नीति निर्धारित करें और उस का पालन पोषण करें जिस के कारण हमारे देश का आदर और सम्मान हो । जब से मैं संसद् में आया हूं मैं ने अपने कम्यूनिस्ट भाइयों के बहुत से व्याख्यान और भाषण सुने, और बहुत ध्यान से सुने । तो भी मुझे अफ़सोस है कि आज तक जितने भाषण उन की ओर से यहां पर हुए हैं उन में से एक भी ऐसा नहीं था जिस में कि किसी सुझाव या प्रपोजल (proposal) को कन्स्ट्रक्टिव (Constructive) या रचनात्मक कहा जा सके । उन में आज तक कोई सुझाव नहीं दिया गया कि किस प्रकार से हमें अपनी गृह नीति को या अपनी डिफेन्स पालिसी (defence policy) को आगे बढ़ाना चाहिये, बल्कि हमेशा इस प्रकार के सुझाव दिये जिस में किसी तरह से हमारे देश का मान नीचा हो, और हमारे देश को किसी प्रकार से दुनिया के सामने आंखें नीची करनी पड़ें । मुझे इस का अफ़सोस है ।

जब हम हिन्दुस्तान की कम्यूनिस्ट पालिसी (Communist policy) को ठीक तरह से तोलते हैं तो उस के तीन रूप मालूम पड़ते हैं । एक लीगल (legal) रूप है, एक सेमी लीगल (semi-legal) रूप है और एक इल्लीगल (illegal) रूप है । इस को दूसरे शब्दों में कहें तो एक ओवर ग्राउंड (Over ground) है, एक अन्डर ग्राउंड (Under ground) है और एक शायद मिड एयर (mid air) या मिड-स्ट्रीम (mid stream) है । इन रूपों से हमारे यहां के कम्यूनिस्ट भाइयों ने हमारी उन्नति को सेबाटेज करने का प्रयत्न किया । यहां हमारे कम्यूनिस्ट पार्टी के नेता ने प्रेजिडेण्ट के भाषण को डिक्लेरेशन आफ़ वार (declaration of war) कहा । मैं तो उसे सुन कर चकित हो गया । मुझे तो ऐसा अनुभव होने लगा कि मैं कहीं और बैठा हुआ हूं । मैं आजाद हिन्दुस्तान की संसद् में न होकर किसी दूसरे देश की संसद् के अन्दर बैठा हुआ बातें सुन रहा हूं । मैं आप को यह बतलाना चाहता हूं कि आज हिन्दुस्तान की इस होम पालिसी के बावजूद भी हमारे कम्यूनिस्ट भाई जो कि यह दावा करते हैं कि वह सब का कल्याण करना चाहते हैं उन के बारे में क्या कहा गया । आज हमारे हैदराबाद के चीफ़ मिनिस्टर यहां आये थे और वहां के होम मिनिस्टर भी आये थे । उन से मैं ने विशेष तौर पर इस सम्बन्ध में बातचीत की थी । उन्होंने मुझ से जो कुछ कहा उस को सुन कर मुझे बहुत अफ़सोस हुआ । उन्होंने कहा कि हैदराबाद के अन्दर, और तैलंगाना के अन्दर, जिस का आज यहां बहुत नाम लिया जाता है वहां पर हमारे कम्यूनिस्ट भाई पैरेलल गवर्नमेंट (Parallel Government) क़ायम करने का प्रयत्न कर रहे हैं । लेकिन मैं कहना चाहता हूं कि आप भले ही हंसें

लेकिन वह यहां पर पैरेलल गवर्नमेंट हर्गिज नहीं क़ायम कर सकेंगे । नलगोंडा, करीम नगर और वारंगल के जिलों के अन्दर इस प्रकार के प्रयत्न किये जा रहे हैं । एग्रेरियन रिफार्म (agrarian reform) के बहाने से वहां पर वायलेंट रिवोल्यूशन (voilent revolution) के लिये कोशिश की जा रही है । मेरी इस विषय में कई भाइयों से बातचीत हुई । मैं ने उन से कहा कि आप हथियार सरेंडर (surrender) क्यों नहीं करते हैं । हैदराबाद की गवर्नमेंट ने यहां की गवर्नमेंट की तरफ़ से ऐलान किया हुआ है कि अगर वह अपने हथियारों को दे दें तो उन के खिलाफ़ किसी भी प्रकार की कार्यवाही नहीं की जायगी । लेकिन इस के बावजूद भी वह आज हैदराबाद में अपने हथियारों को लेकर घूम रहे हैं और वह गवर्नमेंट के ऊपर इल्जाम लगाना चाहते हैं ।

इस विषय में इतना कह कर, अध्यक्ष महोदय, अब मैं प्रैस कमीशन (Press Commission) के बारे में कुछ कहना चाहता हूं जिस के बारे में सुझाव दिया गया है । मेरी आनरेबिल होम मिनिस्टर से यह इल्तिजा है कि जितनी जल्दी हो सके वह इस कमीशन के टर्म्स आफ़ रेफ़रेन्स (terms of reference) तै कर दें और वर्किंग जनरलिस्ट्स (working journalists) के नुमाइन्दों को इस में लें । और उस को जितनी जल्दी क्रियात्मक रूप में लाया जा सकेगा उतना ही ज्यादा अच्छा होगा और उस से हिन्दुस्तान के वर्किंग जनरलिस्ट्स को बहुत लाभ होगा । इतना कह कर मैं आप की इजाजत चाहता हूं ।

(English translation of the above speech)

Dr. Suresh Chandra (Aurangabad): Sir, with your permission I propose to speak in Hindi.

The strength of a nation largely depends on its home and foreign policies. The foundation of our home and foreign policies was, to my mind, laid by Mahatma Gandhi. "Peace on earth" and "goodwill to man" were his watchwords. Shri Jawaharlal Nehru and Sardar Patel pursued the two policies as dictated by the Father of the Nation. It is our duty at this moment, when we are discussing our home policy to pay warm tributes to our leader who formulated that policy and established law and order in the country. My heart goes to Sardar Patel and I hope all the Members of this House will join me in paying homage to him.

If we find today law and order in our country it is due to our home policy alone. Many an hon. Member seems to have forgotten that it is for the first time after the great Ashoka's age that we have got complete independence and that it is imperatively necessary now more than it was ever before that we further strengthen our home and foreign policies that have been firm throughout. With all the experience that I have gained by living in foreign countries for several years I can say that it is on account of her home and foreign policies alone that today India can hold her head high in pride before all the countries of the world. I still remember that in 1948, when I was in France, the people of France as also the officials of French Foreign Ministry said to me that they had no hope of our Government running the administration smoothly and that they did not believe that we would be able to maintain law and order in the country or continue cordial relations with foreign powers after the foreign rule was over. But when they saw that we succeeded in eliminating all the unsociable elements from the country and establishing law and order, they were simply astonished and had nothing but a great esteem for our leaders. I have spent twelve years in foreign countries and I can say with some confidence that there is a vast difference between today's India and India as it was before the achievement of independence. Today our country commands far greater respect than it ever did before independence and this fact can only be attributed to our home and foreign policies.

The success or otherwise of a country's home policy largely depends on the extent to which subversive activities prevail there. India took steps to crush all subversive activities after achieving independence. The State

[Dr. Suresh Chandra]

which I represent was also the scene of many kinds of subversive activities. I believe it will not be wrong to say—I would like to state this with your permission Sir—that it was this home policy that helped in establishing law and order in Telangana and other places. In spite of the fact that the followers of my Communist friends sitting opposite me perpetrated heinous crimes on the people, I have no enmity whatsoever with them. But I do feel that as Indians we should see that we have an independent policy of our own which will bring credit and repute to our country. Ever since I have come here I have very carefully heard the speeches delivered by some of my Communist friends. But I am sorry to state that there was not a single speech having a suggestion which could be stated to be constructive. None of them gave any indication as to how we should proceed with our defence or home policy. They, on the contrary, put forth such proposals as would only bring discredit and disrepute to our fair name. I am simply sorry for it. When we make an analysis of communist policy in India it reveals itself in three different aspects, namely, legal, semi-legal and illegal. In other words, we can call them over-ground, under-ground and, probably, mid-air or mid-stream aspects. Our Communist friends have tried to sabotage the country's progress by such activities. Here in this House also the leader of the Communist Party had called the President's Address 'a declaration of war'. I was simply surprised to hear him utter these words. I felt like sitting in the Parliament of some other country rather than of our own. May I tell you, Sir, what has been said about our Communist friends, who in spite of such a fine home policy of India, claim that it is only they who can do good to all. Hyderabad's Chief Minister and Home Minister were here today. I had a talk with them particularly on this subject. I was much pained to hear what they told me in this behalf. They told me Sir, that in Hyderabad and Telangana—the places which are so often referred to—our communist friends are trying to establish a parallel government. But I want to make it very clear that they can never succeed in establishing a parallel Government there. They may laugh at it but the fact remains that such attempts are being made in the districts of Nalgonda, Karim Nagar and Warrangal. A stage is being set there for violent revolutions in the name of agrarian reforms. I have had talks with several persons on this subject. I suggested to them that since the Hyderabad Government had announced that no action would be taken against the Communists if they surrendered their arms, it was high time that they surrendered them. But they would not listen to it and even today we find that they are armed with all sorts of weapons. Not only this, they make allegations against the Government.

Having said so much on this subject I would speak a few words about the proposed Press Commission. I would request the hon. Home Minister to lay down the terms of reference of this Commission as soon as may be, and make provisions for the representation of working journalists therein. The earlier he does it, the better. This will benefit all the working journalists of India.

Pandit Munishwar Datt Upadhyay (Pratapgarh Distt.—East): Before I discuss the subject before the House I would like to submit that certain remarks which were made on the floor of the House this morning by the hon. Member, Mr. Anthony were highly unjustified. A categorical attack was made on the U. P. Government and he said that the U. P. Government was not fairly treating the minorities. I think it was not a proper forum for the hon. Member to raise this question. There is a representative of the Anglo-Indian community in the U. P. Assembly also, and we never heard any such complaint with regard to the treatment of the minorities. I think the hon. Minister for Home Affairs, who is an ex-Minister of the U. P. Government, would probably have been more surprised than myself to hear the remarks that were made on the floor of this House by the hon. Member. If I go into the details and discuss as to the veracity of the statements he made, I think I shall also be committing the same mistake of discussing that subject matter on the floor of this House. All that I would say, therefore, is that the remarks made by him were baseless and absolutely unjustifiable. That is to say the least about it.

As the time is short I shall proceed with the discussion of the cut motions before the House, and I shall deal only with certain aspects of public security and public services. As regards pulic security, the Government of India is not responsible for security in the States. It is the State Government that is responsible for security inside the State. The function of the Government of India is only of an advisory and co-ordinating nature. But before dealing with the security question I would make my submission in regard to the question of public services.

So far as the services are concerned, the Government of India is not responsible for States' services. It is responsible only for Central Services and also for all-India Services that are jointly organized and maintained by the Government of India and the State Governments. There are numerous Central Services under the different Ministries. The Home Ministry is responsible only for regulating matters of general applicability to all services and for the maintenance of a common standard of recruitment, discipline and conditions of service. That is the amount of responsibility that the Government of India has in respect of services. But then to say that it has nothing to do with the other services is really incorrect. I would submit that of late the huge growth of the establishment and the staff of all services has become so unmanageable that it is not possible to maintain any system, to have any organisation, or to have efficiency. The functions are overlapping. There is want of co-ordination. There is want of efficiency in the working of the different Ministries and Departments. As we have seen, several attempts have been made to reorganize the services. But we have not yet succeeded or reached any such stage that we can say that there is sufficient co-ordination and there is sufficient efficiency.

Our services have played such an important part after partition that they occupy a very prominent position in the administration of our country. They occupy a very important position especially because it is the attitude of the services that mostly matters to the common man in the street. If the behaviour of the services is good, if the behaviour of the services is helpful, it is only then that the common man in the street feels that there has been a change in the Government. There is no doubt that there has been considerable improvement in this direction and our services have been very helpful. But then, still there are black-sheep, and as I have submitted, the organisation is so big, so huge that things have almost become unmanageable. We have a shortage of efficient and experienced officers. Due to that the efficiency that we want to introduce into our services is not yet obtainable. But, if the human material of which the services are made is satisfactory, then the system and organisation can be introduced even later on.

As regards the human material there are big complaints made by the Members on the Opposition. We should admit that there are certain cases of corruption, indiscipline and misconduct in the services—as it is usual that there are black-sheep in every fold. But then our duty and the duty of the Government is that such cases should be dealt with expeditiously and effectively. Unless these cases are dealt with properly, it will be an encouragement towards corruption, indiscipline and misconduct, and I think that will demoralise the entire services. While dealing with such persons who have been charged with corruption, indiscipline and misconduct we have to look to the rules also. There are rules and regulations for these things. Then there is the machinery, the human agency that deals with such cases.

As regards the rules, my experience is this. A number of cases came before the Public Accounts Committee. And in those cases it was found that on account of the defects and drawbacks in the rules, those cases could not be effectively dealt with. The matter was referred to the Government, but I think there has been no revision of those rules. And I find that there is considerable reluctance on the part of the Government to revise the rules that govern the conduct of the services, because, as I have seen, a certain Act was passed by the Provisional Parliament. I think it is Act LXI of 1951. This Act was meant for framing rules for the conduct of the services. But no rules have been framed as yet, and the same rules which were framed by the Secretary of State for India—the same old rules—are continuing. These rules that were to be framed under this Act were to be laid before the Parliament. I do not think that they have been framed at all or even if they are framed, they have not been laid before Parliament. So, this reluctance on the part of the authorities not to revise the rules governing the conduct of services will not be tolerated in the future. In this Act it was provided in clause 4 as follows:—

> "The continuance of existing rules or rules in force immediately before the commencement of this Act and applicable to All-India Services shall continue to be in force and shall be deemed to be rules made under this Act".

So they are trying to give permanency to these rules that existed before. This reluctance on the part of the Ministry

[Pandit Munishwar Datt Upadhyay]

to change the rules, I think, is not desirable. These rules must be modified early. Then there is another change, as I submitted, that is the human agency, the machinery. We have seen in the proceedings of the Public Accounts Committee that the heads of the Departments were not at all helpful in this matter. They were also reluctant to help us to the extent that they should have helped. This was raised again and again before the Public Accounts Committee and I have seen that no action was taken. As a matter of fact the experience of other persons of the previous Public Accounts Committee is also the same. They were constrained to remark in respect of the help that they used to receive or they could receive from the heads of Departments. They did say that they could not get any help from them. I do not propose to read what they have said because my time is very short. My submission is that these rules should be revised.

Then I come to the other aspect of the question, namely, the reorganization of the services. As I submitted the staff has grown so huge, and several attempts have been made to reorganise services. A number of Committees were appointed. The most important of these Committees is the Ayyangar Committee. They submitted proposals. The Economic Committee was there which also submitted its proposals. Then there is the Secretariat Establishment Organization Committee which also made proposals. The Ministry itself made proposals. In spite of all these proposals and reports, no steps have been taken to implement them. The result is that they have been going on increasing the number of Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries as they liked. There is no limit to them. If I now propose that another Committee should be appointed to go into these questions, the fate of that Committee would also be the same. My submission now is that this House should take this matter into its own hands and a Committee of the House should be appointed by this House to look into such matters. The Committee might see what proposals have been implemented and what not and why. There should be a permanent machinery and it should place the records before this House every six months. It is only then that we can be effective in this respect.

Then I come to the public security question.

Mr. Speaker: The hon. Member has only one minute more. I have already given him two minutes.

Pandit Munishwar Datt Upadhyay: Very well, Sir. The Police Department was organized in 1902, as far back as 50 years ago. It requires reorganization because the outlook and the functions of the Police have fundamentally changed. We might require to move police forces to go from one State to another. Therefore, there should be uniformity, in equipment, in training, in discipline, in arms and in dress. In order to have more mobility and utility, we should reorganize this Department. We have seen that we had to establish a Special Police Establishment in Delhi for dealing with cases that came up after the war. They were cases of corruption and embezzlement. So far as the Police organization goes, it is very incomplete. We require a Committee to be appointed so that that Committee might go into all these details and we might have a Police Organization which might suit the needs of our time. I would submit that the working as at present in the Special Police Establishment is not very satisfactory. I have seen that convictions are almost 50 per cent., the acquittals are about 50 per cent.. and the defect lies somewhere in the prosecution and in the investigation. There is not the full co-operation from the State Police and that is why they do not succeed in the prosecutions. The State Police is very reluctant now to render any help. I also find that the deputation that used to get in the Special Police Establishment is not forthcoming now.

I would submit that a Committee should be appointed so that this matter may also be looked into.

In conclusion, I suggest that service rules should be revised and that a Committee for inquiring into the Police Department should be instituted. Though I could not make my submission, there is need for appointing a Committee in respect of reorganization of jails also.

Shri A. K. Gopalan (Cannanore): The function of this Ministry is maintaining law and order in this country. I will first of all go into the details and explain how much money is spent for this purpose. The Centre maintains its own Police, apart from what is maintained by the States; on this item is spent Rs. 65 lakhs. The Ministry under the head 'Delhi'—Demand No. 56, out of a total grant of rupees one crore 27 lakhs spend on the Police rupees one crore and 22 lakhs. Apart from this, the States Ministry also spends a large sum of money on the Police. Out of the total grant for Part C States, 25 per cent. is for the Police. Besides that there is "Relations with the States", and out of a total grant of Rs. 55 lakhs under this head Rs. 46 lakhs goes for the Police. Apart from the above two Ministries, the External Affairs Ministry also maintains the Police under the head 'Tribal affairs' and out of a total of rupees two and a half crores, one crore and 83 lakhs are spent on the Frontier Constabulary. I do not wish to go into further details, but all this is spent to maintain law and order in this country. There are three or four States where the money that is spent on the Police under all these items comes to about 25 or 30 per cent. of the total grant. As far as Tripura is concerned, the position is what we have heard in Parliament. We have heard that a Member of Parliament had been arrested. I need not go into the details, because the matter has been placed before the Privileges Committee. There is section 144 for two months there and the reason for that is that the Magistrate thinks that there may be some disorder in the country. There cannot be meetings there. Even six months back when the election took place and merely for the purpose of doing propaganda, when I went to Travancore and Cochin, I was served with a notice under section 144. When I went to Hyderabad, I was served similarly with a notice. I wrote to the Magistrate and to the officers concerned saying that if necessary, I would even give a copy of the statement that I would be making. I told them that I had come only to do propaganda for the coming elections. Even then there was no change in their attitude. The same position still obtains in Part C States. And a huge sum is spent on the Police forces in the States, for maintaining law and order. The hon. Member before me spoke about some statements made by the hon. Minister of Hyderabad and that a parallel Government is going to be set up in Hyderabad and that something is happening there. I shall deal with it a little later. They say it is for the maintenance of law and order. What is law and order? We are hearing of this law and order, not now. Even years ago we have heard of it. When the Britishers were here, they said that they wanted to maintain law and order. It was in the name of law and order that the massacre of Jallianwala Bagh was committed. So many other massacres were committed in the name of maintaining law and order in this country. But, we know that it was not for maintaining law and order; it was for maintaining foreign domination in this country; for fighting the national movement in this country. For suppressing the national movement in this country the words law and order were used. That phrase was used only for the rulers remaining as the rulers. Today when we say law and order, we have to examine for whom it is used; to defend whom, and to suppress whom it is used. When there is a dispute between the millowner and the workers, a tribunal is appointed and an award is given. There are hundreds of cases in this country where, instead of implementing the award, the mill-owners cause a lock out. When the workers fight for their rights, and boycott shops, the workers are arrested, sent to jail and firings also take place. The Government appoints a tribunal and the tribunal gives an award. It is the duty of the mill-owner to obey the award. When he resorts to a lock out, instead of the workers being helped, it is the mill-owner that is being helped. In the whole of India, peasants are evicted from their lands and houses in which they have been living for so many years. Instead of helping the peasants, in the name of law and order, they are being evicted forcibly. Even yesterday in the papers I read that at Kuthattukulam in Travancore-Cochin, 150 police-men went to a place where 500 *Harijans* had been living for years and forcibly evicted them. The place was not used by the Government; but it belonged to the Government. Even pregnant women have been turned out. When the refugees fight for their rights, when others fight for their rights, when the workers fight for their rights, when peasants fight for their rights, when these people want a place to live in law and order is not used to help them; but it is used to help the other side. There are several instances; I do not want to go into details because so many things have been said again. Whenever we want to said again. Whenever we want to say something, murder, loot, arson, violence, these are the words used. Today I can give instances where the law has been violated by the Government servants themselves. The law of the Government, the rules of the Government have been violated by their own executive officers. I do not want to say of others. I ask, is there any law in this country by which a woman can be raped? Today, I am in possession of an open letter which was sent to Mrs. Kuttiammalu Amma—I can give printed copies of

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that letter saying that a woman was arrested, was assaulted and stripped naked by the Sub-Inspector of Police, C. K. Govindan Nambiar. Copies of the letter have been sent to some Members of this Parliament also.

I say, there is the Criminal Procedure Code, there is the Indian Penal Code, there is the Preventive Detention Act. We have heard of many cases where a *habeas corpus* petition was filed before the Supreme Court, and the persons were asked to be produced and it was said that they could not be found. I have got the names of those persons. When the Judges asked where they were it was said that they tried to escape from custody and they were shot dead. There are 24 instances like that. We have also read in the papers that these things are said before the Supreme Court. I am not talking of the hundreds of persons who have been shot dead. When I went to the Andhra districts, I went to a house. The mother said that her son Mohan Rao was studying in the college, and when he was returning from the college he was taken away. She said, 'I want to see my son; I want to know whether he is alive or whether he has been shot dead'. I wrote a letter to the then Chief Minister of Madras, Mr. Kumaraswami Raja, to say, let the mother be told whether her son had been killed, or where he was so that she could go and see her son. I cited 40 cases like that. I heard similar stories in Andhra and I wrote to the Prime Minister saying that at least for the sake of humanity, let the mothers and others be told as to what has happened to their sons. Nothing is known about these people. Some workers were taken away from the Railway Station. What I submit is this. There is law in this country. If I have committed a crime, I could be tried before a court and be hanged. If I have committed murder or any other crime, I can certainly be tried before a court. When a man is arrested and detained inside a jail, without being given an opportunity for trial, then if people are taken outside and shot dead, then, I say, certainly it is not for maintaining law and order. It is only that there is no law in this country. There are many such instances. I have got copies of these reports. I would request the hon. Home Minister to have an enquiry into these things. Even before we had asked that there might be an enquiry. I do not deny that there have been violences in the country from the side of the people. There have been violences. I say we must know the circumstances why so many persons have been killed, why so many school children, while returning from schools, and workers returning from outside have been taken away and detained without being given an opportunity for trial. When such open letters are written and distributed among the people by those who have suffered, signed by them, certainly they have no illusions about law and order in this country. The other day, I got a letter from the wife of a Government officer in the Punjab, saying that she was taken to the police station, and so many things were done. I do not want to refer to all these things. I have got all these with me. I only want to request the hon. Home Minister to enquire into these things like torture of women etc. In the Andhra districts, I heard that at Elameru in Krishna District, three hundred persons were stripped naked by the police; then they were forced to march along the roadside, and placing a photo of Mahatma Gandhi, they were asked to prostrate before that. A question was also put in the Legislative Assembly in Madras, by Mr. Kurmayya, the Harijan Minister. There are such other things. When such inhuman atrocities had been done, is it not the duty of the Government to check or find out whether it was true or not. There is another thing. In the Salem jail, in one day 23 prisoners were shot dead. We have never heard of such a thing in the history of our country, even during the days of the British. You have to prove that these 23 people were such dangerous people It is the duty of the Government to tell the people that they have killed 23 people because it was such and such a thing that they committed. An enquiry was made. Officers were appointed for the Commission of enquiry. They went to the jail and they made an enquiry. I wrote to the Prime Minister about this. At the time of the elections and before the enquiry so many petitions were sent. Even today that report is not published. They may be charged with violence and all those things. When the Government have held an enquiry into the matter and when the Government have got the report before them, it is the duty of the Government to tell the people that these prisoners committed such and such a thing and so Government were forced to kill these 23 people in the said jail. So, what I have to say is: let us enquire and find out why these things are done.

There is the Preventive Detention Act and then there are so many other Acts. The Police and the Military go to the villages. There they do so many things to the people who become desperate. When they go there, they burn houses. I was myself present in the villages of Malabar and Tamil Nad and other places. I can give the instances of Hiranyan of Tanjore and Manavalan of Madura. He was taken outside, he was tied to a post and shot dead. Both the mother and the father came to me crying and saying he was shot dead. In all these cases it was done like that. When these stories are there, everywhere, the duty of the Government is to see that they have done everything according to law.

Not only that. As far as the Preventive Detention Act is concerned, a Bill is coming before us. I do not want to say anything about it now. I only want to refer to the judgment of the Supreme Court in A. K. Gopalan *versus* the State of Madras—page 58—about the Preventive Detention Act. Justice Mahajan in his judgment says: "Preventive Detention laws are repugnant to democratic constitutions and they cannot be found to exist in any of the democratic countries of the world." You cannot find preventive detention in any of the democratic countries of the world. It is not any Communist agitator who is saying this. It is the Justice of the Supreme Court that is saying that in no democratic country of the world can such an Act be found. There is no use calling me names or talking of violence, arson, loot and murder. Here is a Judge who, when I filed a *habeas corpus* petition, has delivered judgment saying that nowhere in the democratic countries can you find the Preventive Detention Act.

When we come to the Preventive Detention Bill, I will have an opportunity of speaking about my own arrest and the grounds of detention. I was a Congressman in 1935 and in 1947 that was a ground of detention, and Justice Mahajan in the Court said to the Advocate-General: "Is it a crime, and should you bring today whatever he did then? He was then a Congressman, he fought against foreign domination, and that cannot be a crime today. It is only patriotism. Such grounds I do not pass." When you have given liberty to the Executive and the officers that they can detain a man on any ground when you want it, when there is the Preventive Detention Act, when there are other things, when the Police can go to any village and do anything, certainly the persons there think that there is no safety for their property, that there is no safety for their lives, that there is no safety for their womanhood, and they think: Why not let us defend ourselves for the sake of our lives, for the sake of our property, for the sake of chastity of our women, and why do we not die? So we see that it is the violence of the Government, giving these powers to the Executive and asking them to attack persons and kill them—it was this that was responsible for the violence of the people.

As far as other matters are concerned, because I have no time I cannot go into them in detail. At least if I am given one or two minutes more, I will be able to......

Mr. Speaker: He can take a few minutes.

Shri A. K. Gopalan: Then, the next point that I have to speak about is Police Administration. What about the salary? We have not been able to effect any change? Why is it the Policeman does all these things. Because he has been brought up and given training by a foreign Government so that he may not think that the people of this country are his own brothers. The M.S.P. of Malabar is a special instance in the whole of India. They are kept at a place, they cannot go out from there, they cannot see any people. Every morning they are given training how to beat people whether on the head or on the back or the chest, how to kill people. That is the training given to them. No social education is given to them. They are not allowed to move freely with the people.

Even a Sub-Inspector of Police who must be tip-top gets only Rs. 75 or Rs. 80 starting. If there is corruption—and there is plenty of it—it is due to giving Rs. 75 or Rs. 50 to the Policeman. And the Policeman certainly cannot organise themselves in Trade Unions. So certainly he will ask anybody whom he sees on the road side he will shut him up, beat him and ask for four annas. He is really suffering. He does not find any other method, so he does things of this sort. A new training must be given to them. We have to ask the responsible Congress Government here which is founded upon truth, non-violence and all these things that our Policemen must be made to feel that they are there only to serve the people, and that the pay of these Police Officers as well as those of poorer servants like Jail Warders should be increased. The pay of the poor Jail Warders inside the jail should be

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raised. They are the poorest people. Inside the jail also so much of business is done. (*Interruption*). Sometimes it is found out. We all know that as Congressmen in jail and we might sometimes have also used them. That is the position in which they are. Whenever I asked them they also used to say: "We have got only this much as our pay." Unless and until they are given a good training, unless and until their salaries are raised, and unless and until they are allowed to move among the people, not with *lathi* and bayonet, but as ordinary men saying to people 'We are your friends, we beat you only when there is an occasion to beat you' things will not improve. But such a thing is not attempted even now. There are so many political prisoners in Madras, and in Hyderabad and in other places. The food given to them as also the treatment given to them has not been changed because lately, as early as eight months ago, I was inside the jail—I think I was the last to come out of the jail—and therefore I know more about the facts, as to what food is given to them and what treatment is given to them.

While I do not want to say much about the money that has been spent on the officers, and the top-heavy Administration, I want to say one thing about Demand No. 55 relating to Cabinet; the estimate for the year being:

For 13 Cabinet Ministers	Rs. 4,68,000
For 7 Ministers of State	Rs. 2,52,000
For 6 Deputy Ministers	Rs. 1,44,000
For officers of Prime Minister's Secretariat	Rs. 1,91,000

While these huge sums are paid over to the Ministers and other big officers, what is left for the peons, the chaprasis, the daphedars, the grade III clerks and others? What I say is that if there must be efficiency among these people, who are working like us, their pay also must be increased. Therefore, my request to the hon. Minister is this. Raise the pay of these people, implement the Central Pay Commission's recommendation for all Government servants, treat the Provincial Government servants also on a par with the Central Government servants, because the Constitution guarantees equal pay for equal work. But actual conditions are quite the reverse of this. We find that between two people, one working in the employ of the State Government, with the same qualification, and the other working in the employ of the Central Government, there is a very great difference in pay, although both are doing equal work. If the Government wants to find money for this, my suggestion is to cut down the President's salary to Rs. 3,000, the pay of Ministers to Rs. 1,000, and also the pay of the top-heavy officials. Then the money for all these things can be found. I say this because we have a duty towards the people, we owe a duty towards the people. The other day, the members of the Cultural Delegation to China who have recently returned from that country told us that the Ministers there are getting only Rs. 500 p.m. plus a car, and a free house. The minimum salary in that country for anybody is Rs. 100. They have done all these things in that country. That is the reason why the confidence of the people is there in the Government. I say that if there must be efficiency in the Central Administration, the pay of all these employees must be raised. For that purpose, no doubt, the Ministers and the high officials will have to do a certain amount of sacrifice.

My request to the hon. Home Minister, before I resume my seat is this. I have got with me all these papers, I request that an inquiry be made into all these things, that are current in the country to-day, so that those who are responsible for them may be punished, and the whole Police Administration may be overhauled in such a way that the training given to them under the bureaucratic regime may disappear, and we can think of the police as the police force of a free country, of a free India.

Shri Bhagwat Jha (Purnea *cum* Santal Parganas): So to the "novel pronouncements series" of the Opposition, everyday something fantastic, clothed invariably in superlatives, is being added. This novel series of pronouncements was started rightly with a statement "full of fury and fire signifying nothing" from the Opposition by Mr. Gopalan when he said that the President's address was a 'declaration of war against the common man' Then came another statement that our foreign policy was the whims and caprices of an individual. Then came a third statement in the novel pronouncements series that our industrial policy was neither national nor rational. And here comes another statement—pronouncement rather—manufactured in a foreign laboratory that we have got no home policy. I was astonished to hear this from a Member who belongs to a party who are experts and adapted to these things for the last so many years. What about those Congressmen who have been murdered, hundreds of them, in cold blood? What about those heinous crimes which have been perpetrated in the South and in so many other parts of this sub-continent? And today they claim and demand that there should be an inquiry. What inquiry? Inquiry by those who are experts in these things?

I know they are adapted to repeating the same charge again and again and we are not experts in those things. They have referred in this House to an assault on a woman by an Inspector. Then they take another instance of assault in some particular State, say, the Punjab. I say in democratic countries like England, the Government do not fall on such petty issues; they fall on policies. I say if that inspector committed a heinous crime, he should be hanged. If such instances are being perpetrated in this country, they should be given the maximum punishment. But does it mean that these crimes that are being perpetrated and committed by an individual inspector here and there be allowed to reflect the home policy of the Government of India or the Government of a particular State. (Interruption). They may have committed such crimes and I do assert in this House that our Home Minister should take into consideration such crimes when they are committed. But may I ask the Opposition does it show that on the score of these particular instances the policy of the Government should be condemned?

Then, coming to the Preventive Detention Act. They have particularly mentioned the Preventive Detention Act. Before coming to this House, I was of opinion that this Preventive Detention Act was rather going too far. But today I feel that this Preventive Detention Act is essential in order to prevent disorder and disruption. (*Interruptions*). When such things are being committed in this country when persons from outside are engaged in subversive activities, when underground activities are going on to demoralise and undermine our Government, it is essential that we should have some measure in our hands to take action in emergencies. With war clouds gathering and sometimes war drums being beaten outside I feel that this Act is more essential for national safety and security. In a war of modern set up Army do not march first, rather the underground forces, the infiltration, sabotage, fifth columnists and spy rings—these come in advance and then comes the conqueror. So when all these things are being done and when a part of the population of our sub-continent are engaged in subversive activities in infiltration and in demoralising Government, an Act of this type should be in our hands so that in times of need, in times of emergency, we can have measures against those anti-social and anti-national forces in the country.

Again the Opposition has said, 'Why not go to an ordinary court of law and convict them? We know and I think the Opposition also agrees, that there are criminals, there are persons who are adepts in these activities but we cannot find them out. It is not a question of law, it is not a question of expediency; we want that such an Act should be there, such a measure should be there, so that we can take action in emergencies. I can assert here in this House that if the Preventive Detention Act is meant to crush the Opposition, I will stand against it and fight every inch.

[MR. DEPUTY-SPEAKER *in the Chair*]

If I feel that our democratic Government takes advantage of this Act to crush the Opposition and all other parties, I think myself and many of my friends will join with the Opposition and fight out this Government. But let them not, by only picking an instance here and an instance there, condemn any Government.

I took my stand here purposely for speaking on tribal people's affairs but I could not check myself seeing these big pronouncements and daily additions to the series that have been rightly started by Mr. A. K. Gopalan, the leader of the Communist Party.

And now switching over to the tribal affairs, I beg to submit that I belong to a district known as Santal Parganas where 40 per cent. of the population is that of Santals. Most of them live in mountains. Most of them are mountaineers called *Paharias*. They are persons bold enough to face even tigers with primitive weapons. But their condition today is very miserable not due to the act that nothing has been done for them by the Government. I know that the Government under its Five Year Plan are keeping three crores of rupees for the uplift of north eastern tribes including Nagas. I also know that rupees two crores annually are being granted to different States for the welfare of these tribal people. But what I suggest is this that any amount of money spent on opening up schools etc. will not have the desired effect that we want to achieve. We have to bring about an entire change in their outlook and that I suggest must be done. I can give one instance here. In the district of Santal Parganas

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about one lakh *Paharias* live on mountains. We persuade them to come down but they do not agree. So much about these *Paharias*, and Santals and then there are Naga tribes in our eastern part of the country where they feel that some day some Naga king will come "to rule over all who eat from the wooden platter." These conceptions are to be changed and they cannot be changed through your welfare departments and through your special officers. We must have officers who can go and mix with them and who can go and eat and drink with them. And if occasions demand join them in 'Pochai'—their special preparations and only then can something be done to change their outlook. There they must go and even dance with the Santals. Unless they can do that, it is impossible to bring about any change in them. I can say most of the Members are not aware of these Santalis troops whom I have seen dancing and taking part in all such activities. *(Interruption)*. There are males and females who dance. So what I would suggest to the Government is that they must take precautions to keep not only special officers but such officers as Deputy Commissioners and District Magistrates and Agricultural officers who know their language, habits and customs. They must have a co-ordinated plan to touch their sentiment and to feel their pulse. Only these welfare Departments would not be able to have the desired effect because these tribal people are very bold people. It is very hard to make them speak untruth. I have seen them in the two elections. In the elections in the year 1937 when these damindars approached them for vote, they refused to give their votes, and said:

हम तुम लोगों को वोट नहीं देंगे, कांग्रेस को वोट देंगे ।

[We will not vote for you, we will vote for the Congress.]

In the last election I went to them for my vote. So they spoke—Bang Dangra baksa; Sim Sandi ra Bharaw pa—meaning that not in the box with oxen as symbol, rather box with cock to be filled in. I have seen them working but still I feel that they are not lost. They are ignorant people and out of this ignorance some people are making capital. Dr. Varier Elwin, the anthropologist has suggested in his book on Tribal Affairs that there should be "forest sanctuaries" where they should be segregated. Some political friends are out to make capital out of it and demand a separate Province for them. These anthropologists like Dr. Varier Elwin have said that these persons should be segregated in areas where the Indian civilisation might not contaminate them. That is what that anthropologist has written. I assert that these political friends who are out to make capital out of it should not be allowed to have their way.

5 P.M.

One word I have to speak regarding missionaries. I have all respect for missionaries. I know of a missionary English woman Ursula Graham Bower who in 1937 defying all conventional ban, venturing too far in unknown regions, for consecutive ten years lived with Nagas and *Paharias* in the hilly tracts so much so that she was called their long lost goddess 'Gaidilin'. I have seen these missionaries in my district which consists of 40 per cent. or about eleven lakhs of Santals. I am speaking from my experience. I can say that in the guise of religion and in and within the church walls they have instigated the Santals. They have told them that these Dikus (Non-Santals) are dacoits. They are *chors*. Kill them. That is what they are doing in Santal Parganas. I was not enraged because they are simple people and innocent people, but these missionaries in the guise of religion and in the name of God are doing all these things. I can say that the Government should take care that such persons are not allowed to have their way. Of course they have got freedom of religion under the Constitution. Nonetheless in the name of this Constitution they should not be allowed to misguide these innocent people and led to commit violence. In the last election they have actually committed violence. Their activities should be checked completely by Government so that they are not allowed to play with the lives of these innocent people.

One word more and that is with regard to their welfare. They must be kept aloof from these missionaries. To give them proper training, small industries must be opened *e.g.* cottage industries. I have heard that textile industries and indigenous industry in Lushai hills have been destroyed. Small industries of these tribal people like Sabai grass and pig hair in Santal Parganas had been lost to them because your officers could not take precautions to see that these things are available to them. I say that these small industries should be opened in those areas. The interesting Oasis where "the dog-eat-dog existence of modern economies has not swamped the primitive decencies", in the admiring language of Ursula Graham Bower, will be possible only if we are able to tear down the economic pressure which threatens to undermine the stability of tribals as of other Indian Society.

Mr. Deputy-Speaker: I would call the hon. Minister at 5-30. Now if two hon. Members can speak I will apportion time accordingly.

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Dr. Krishnaswami (Kancheepuram): It is with feelings of sadness that I rise to participate in this evening's debate. The area of personal freedom the area of civil liberties already restricted, have been further restricted during the last year or two and I have to ask myself this question, as indeed most Members of this House have to ask themselves this question: Are we on the road to democracy or are we on some other road? Our voices may be few today, even though they be the authentic voices of democracy but on the morrow there will be others to join us in inviting the Government to turn back from its path of repression and plan for a democracy. The Home Minister only three months ago when he asked for the Prevention Detention Act being extended by six months made the observation that there were only 1630 detenus and by implication gave the impression to hon. Members of Parliament that that was not a very significant number. Now I feel that it is no use thinking in terms of statistics when you consider such a vital question as Civil liberties. Let us remember, that the *raison d'etre* of preventive detention is that you have facts in your possession which are not sufficient to entitle the detenu to be convicted in a court of law but which in your opinion are sufficient to detain him on grounds of national interest. It is on this basis that you have passed the Preventive Detention Act and in order to safeguard against abuses have made provision for Advisory Committees to review all cases of detection. But there are many limitations to the usefulness of this procedure. This Preventive Detention Act is a blot on our Statute Book; from many points of view and in the interest of social peace, we ought not to have this Act on the Statute Book at all. There is also this feeling, which I am at liberty to voice forth here and which I hope my friend, the Home Minister will consider in a sympathetic spirit especially as he has been a very distinguished lawyer in the past, that on many occasions those who have been detained have not been able to know the grounds on which they have been detained because it is not in the national interest to have them communicated. Then what is the value of representation made to the Advisory Board? The individual even in the best of instances when grounds of detention are fully supplied to him can only make representations in writing, cannot call witnesses, cannot examine them, cannot see how their demeanour reacts to his question. And you have also the additional provision that if it is in the national interest the grounds of detention need not be revealed to that individual (*Interruption*). If my hon. friend wishes to interrupt me it will mean a greater amount of time and that is why I am not willing to give way to him.

Mr. Deputy-Speaker: The hon. Member can challenge him in his own turn.

Dr. Krishnaswami: But I would like the hon. Home Minister to consider how far there has been an abuse of this power. Certainly when we entrust such vast powers to an executive we must be prepared for many abuses to occur and it is the function of any civilised Government to review the manner in which these abuses have occurred. We had, for instance, the arrest of an hon. Member of Parliament and certain charges were made against him and five others also in which the same grounds for detention were alleged. Five out of the eleven individuals detained were alleged to have committed the prejudicial act of presiding over the same meeting in the same place. I am mentioning this fact to illustrate the inability of the executive to apply its mind to each case and the ease with which it has fallen back on the Preventive Detention Act to lock up innocent citizens. It is not my purpose on this occasion to go into many of these matters at length; when the time comes for the Preventive Detention Act to be extended. I hope and trust this House will be given ample opportunity to review every one of the sections, to go into all the implications of this assuredly serious measure and if we are fortunate we hope to be able to persuade the Members of the Treasury Benches to withdraw this measure which undoubtedly should not find a place on our Statute Book in peace-time. As the Supreme Court has pointed out in one of its recent judgments, but for the fact of the preventive detention clause being found in

[Dr. Krishnaswami]

the Fundamental Rights, the Preventive Detention Act would have been *ultra vires*, repugnant and opposed to the principles and spirit of the Constitution and fundamental liberties. Let me now deal with certain other matters on which I differ from the Government in its approach and formulation of policies. My hon. friend the Home Minister is in charge not only of public security but also of public services. On public services, there has been considerable debate and many suggestions have been thrown forth, suggestions regarding the organization of the services, suggestions regarding the manner in which the services ought to be recruited, suggestions regarding the manner in which the discipline rules of the services should be enforced and so on and so forth. I wish to make a very general observation because the time that has been given us is rather short.

I wish to point out that in this new age of planning we have also to revise our canons of recruitment. The old idea of efficiency being based solely on marks has to give place to other equally, if not more important tests. Today efficiency should be based not only on marks but also on representation of different sections of society and regions in many parts of our country. Many an administrator has been handicapped not by lack of ability but by lack of appreciation of the social environment in which he moves. My friend who preceded me only a few minutes ago brought to our notice the manner in which the Scheduled Tribes were not being properly treated and their demands were not being properly understood by administrators. Only the other day, the Prime Minister in one of those felicitous utterances which he reserves for assemblies other than this House pointed out that the Scheduled Tribes had to be treated generously, had to be shown special consideration, not in a spirit of condescension but in a spirit of co-operation and understanding. To achieve this objective so eloquently adumbrated by our Prime Minister one of the first essentials is to revise our notions of efficiency, recruit individuals from a social *milieu* of which they have an understanding. The same problem of an understanding of our environment faces us though in a lesser degree in other branches of our services and we ought therefore to make them representative of different sections and different regions of our vast sub-continent.

And speaking on representation let me refer to the Scheduled Castes and the Scheduled Tribes in particular There has been great complaint that the Scheduled Castes and others have been putting forward their claims in an extreme manner, sometimes hunting to others. But I would like my friends to remember one fact: "it is the toad beneath the harrow that knows where the toothpick goes." If the Scheduled Castes put forward extreme demands, we have to make allowance for the fact that we have neglected them in the past and not considered their demands in a sympathetic spirit. The Government order that they should have twelve and a half per cent of the services reserved for them has not yet been seriously implemented and is a dead letter. In many cases it may not have been implemented for lack of personnel of the requisite ability applying for these jobs—I know this is the usual reply of official members. But I would like those of our administrators who have given thought to this problem to think of the various steps and the various ancillary measures that they should adopt in order that there might be an increased recruitment of this community to the services and the requisite quota scheduled may be filled up in a measurable interval. From this angle, the educational grant of Rs. 17½ lakhs for free scholarships for Scheduled Castes is pitifully and grossly inadequate. And as regards the abolition of foreign scholarships for Scheduled Castes I am surprised at men in high authority suggesting that just because in one particular year the standards have not been high, therefore they have been constrained to abolish the very system of foreign scholarships. In great social experiments, particularly where the welfare of millions of our people is concerned, we must expect the backward and the lowly to rise only gradually and if in a particular year the requisite standard of efficiency is not high all the more reason there is to persevere and grant more foreign scholarships. Such expenditure cannot be considered to be a waste and should not be grudged by society which has to pay for past neglect; after all, let us cast the bread on waters so that we may have a major return in the shape of increased technical skill, if not today, at least five years hence and the Scheduled Castes and the Scheduled Tribes will not be shut out of our higher services on the ground of their not having even the minimum qualifications necessary for discharging their duties as public servants. I am glad that the Prime Minister has given the correct lead in the treatment of the Scheduled Tribes, and I hope and trust that the Government will translate those lofty aspirations into practice. It is when it comes to the translation of aspirations into reality that the trouble arises, because there we come up against vast forces of inertia—prejudices and pet notions to which I need not make a detailed reference here.

I cannot help feeling that, of late, we have been breaking convention after convention. Governments must realise that many of these conventions have to be preserved if there is to be a proper climate of respect for law and order. We have been attempting of late to reduce the prestige, the power and position of our Courts of Law. Let me give one particular instance, and I would like my friend the hon. Home Minister who is such a distinguished lawyer, to put forward if he can a defence of the attitude adopted by the Government only two or three weeks ago.

We had an Income-tax Bill introduced by the Government only three weeks ago and there, the specious plea was put forward that because a decision was given by a certain Court, and the Supreme Court would take long to review that decision, therefore this measure had to be introduced to reverse the effect of the decision of that Court. Now, I ask my friend, as I am bound to ask him: Is it really impossible for the Government if it is, so seriously minded to have the case posted for an early hearing before the Supreme Court. In fact, no Court of Law would refuse to hear a State case and give it top priority if the Government is so minded. But the real ground for the Government's introduction of this Income-tax Bill is apparent when we examine it closely. There is a section which says that whatever might be the decree or the judgment of any Court of Law, the law should be interpreted in a particular manner. I ask you, just when an appeal is pending, is it right to anticipate the verdict of the Supreme Court or to anticipate the verdict of our Courts of Law and then pass legislation calculated to nullify the effect of a decree? This is not the way in which the prestige of our Courts of Law will be heightened. And I therefore appeal to my friend the Home Minister that whenever he asks us to fight for, whenever he asks us espouse the cause of law and order, to bear in mind that if law and order are to be preserved by us on this side, equally there is a duty on the part of the Treasury Bench also to create a climate of respect for law and order and to observe proper conventions. It is not a unilateral obligation, it cannot be unilateral obedience, because, so far as society is concerned, both the Members of the Treasury Bench and Members of the Opposition have equally a duty to serve the people and I hope and trust that both of us will discharge our duties properly.

I regret very much that we do not have more time allotted for discussion of Home Affairs. The Minister of the Interior occupies a key position in the framework of our Government, and if we had two days or three days time to discuss the various Demands, we would have gone into several other matters and possibly offered more constructive suggestions for the hon. Ministers of the Treasury Bench to assimilate and ponder over even though we have doubts regarding their powers of assimilation. Certainly the manner in which this Government is progressing must cause grave apprehensions in the minds of those of us who wish to serve our country. I hope that the Minister will devote some attention to the many questions to which we have invited his attention to and not dismiss them lightly as flotsam and jetsam not worth considering at all.

Shri S. V. Ramaswamy: (Salem): Sir, I thank you for giving me this opportunity at the fag end of the debate. My reply will be mainly directed towards what my hon. friend Mr. A. K. Gopalan has been pleased to say. Before I do so, I would like to reply to one point made by my hon. friend Dr. A. Krishnaswami who remarked that the area of personal freedom was getting restricted gradually, with reference to the Preventive Detention Act. Many of the arguments that he advanced have already been put forward, when the Amending Bill to that Act was debated earlier during this year. It appears to me that my hon. friend Dr. A. Krishnaswami, when he spoke about this has not read through the Preventive Detention Amendment Act of 1951. For the benefit of those that have not read that, I shall just read out a few lines from the Administrative Report of the Home Department. On page 24 it is stated:

> "Sections 9 and 12 of the original Act which required special reference to be made only in a limited class of cases and provided for review by a judicial officer in the other cases, were modified so that a reference to Advisory Boards became compulsory in all cases of

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Preventive Detention. It was further laid down that no person should be kept in detention unless upon such reference the advisory Board reported within ten weeks of the detention that there was sufficient cause for detention."

Coming to Mr. Gopalan's remarks, the hon. Member referred to certain things that happened in Salem. He referred to the Preventive Detention Act as an Act which should not be on the Statute Book, and he also made other references to the expenditure on the police department. I would not like to go into the latter question. I shall leave it to the hon. Home Minister to reply to that portion of his speech. Mr. Gopalan has catalogued a list of cases of rape by police officers. I do not know why he has specially collected these cases, or why he is specially interested in them. I can say this much, that the Home Department has never authorized these rapes, I can assure him of that much. If any police officer misbehaves or abuses his powers, I am sure, the ordinary law of the land is quite strong enough to bring those people within its clutches. If my hon. friend has been able to collect a number of cases where police officers have misbehaved, I can also give him a long list of cases where police officers have been booked, and sentenced to imprisonment, or dismissed for misbehaviour or abuse of powers.

The next thing that I would refer to is the Central Salem Jail shooting affair. I know intimately about this, because I was just arguing a case before the Sessions Judge. The Central jail is just closeby. Suddenly there was a flare-up, and the firing of shots was heard in the court, and we stopped work immediately. The truth about it was this. A number of Communist prisoners from different parts of the country were brought to the Salem jail. I do not know why they concentrated such a large number of Communists there. They ought to have anticipated trouble surely. The jail authorities there were so dull that they could not understand what was going on underground, what the Communists were doing behind the bars. That is why they got the beating, and ultimately they retaliated with the gun-shots. What happened was that these Communist prisoners gathered together, and it was their programme at one particular time earlier fixed by them to belabour the jail authorities and get out of the jail, and run away. They took hold of a Deputy Jailor, and beat him right on the neck, and floored him. Then all the jailors came round and in spite of pleadings to maintain law and order inside they would not listen and they belaboured some of the jail officials with the result that they had no option but to open fire. That was the situation and because of that alone order was restored in the jail.

Shri Velayudhan (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): Then, why a report was not published? (*Interruptions*).

Shri S. V. Ramaswamy: For whatever that was done, they must thank themselves for their behaviour.

Shri Raghavaiah (Ongole): Is it his version, or is it from the report of the Inquiry Committee on the Salem jail shooting appointed by the Madras Government?

Mr. Deputy-Speaker: The hon. Member need not speak at the top of his voice. We can hear him.

Shri S. V. Ramaswamy: I will come now to the Preventive Detention Act. Dr. Krishnaswami was pleased to say that the area of personal freedom was getting restricted.

My time is up, Sir, and I have got only five minutes more.

It was my misfortune to face a top-ranking Communist in my constituency, and you know the amount of trouble that I have undergone in defeating him, the amount of propaganda—not of the right type—falsehood to the core which was carried on to my detriment, and I had to stand against all that. I had to educate the public and give them the correct view.

My friend, Mr. Gopalan, was saying: 'Where on earth we get an Act like this Preventive Detention Act?' My friend Dr. Krishnaswami, said it was a disgrace that this Act was on the Statute Book. (*Interruptions*).—I will not yield, Sir—and the area of personal freedom was getting restricted. I was sitting in the District Congress Committee office. Then my friend, Mr. Gopalan, was going about the city in a van—and also, Mr. Nambiar, and I believe, some other top-ranking Communists whose names I shall recollect and presently mention were there. They went about announcing through the loudspeaker that the entire miseries of this country ....

Shri A. K. Gopalan: I never went there, Sir.

Shri S. V. Ramaswamy: I do not yield. (*Interruption*).

Mr. Deputy-Speaker: Order, order.

Shri S. V. Ramaswamy: I saw my friend with my own eyes. He went about the city announcing......(*Interruptions*).

Mr. Deputy-Speaker: Let the hon. Member go on. Mr. Gopalan said many things when the other side kept quiet.

Shri A. K. Gopalan: Sir, I did not go about with a loudspeaker. (*Interruptions*).

Mr. Deputy-Speaker: Order, order. All hon. Members will kindly resume their seats. I will have to ask Shri Raghavaiah sitting over there to go out of the House if he makes such noise, as he seems to have been accustomed to. I watched him many times. Let us conduct the proceedings in an orderly manner. It is not a market place that we are meeting in. So far I have heard a number of hon. Members. Here Mr. Gopalan was referring to certain incidents. Why should there be such a cry and noise when some other incidents are referred to? Mr. Gopalan says that it is wrong. It is for them to decide it elsewhere. I will not allow statements to be made here so far as this matter is concerned.

Shri A. K. Gopalan: Sir, something was said about me and I want to state...

Mr. Deputy-Speaker: The hon. Member says he has seen him with his own eyes. Let the hon. Member go on.

Shri S. V. Ramaswamy: I saw with my own eyes and heard with my own ears what Mr. Gopalan did and said. He was going about and announcing that the miseries of this country were all due to the illustrious leader of this House, Pandit Jawaharlal Nehru. He said that if we got rid of this leader, the country would be rid of a bother. (*Interruption*).

Shri A. K. Gopalan: I never said that. It is an allegation against me and I want to clear the position before the House. I never said anything like that.

Shri S. V. Ramaswamy: He said that if he had an opportunity, he would rip open the stomach of Pandit Nehru, remove the intestines, put them round his neck and parade them. (*Interruptions*). There was another leader who said at a public meeting that he would take out the liver of my revered leader and squeeze out the blood. (*Interruptions*). For 22 years I have been a barrister, and I will prove it to the hilt.

Shri A. K. Gopalan: It must be proved. I never said that. I never said a word like that. (*Interruptions*).

Mr. Deputy-Speaker: Order, order. Hon. Members must be patient. I know both hon. Members are honourable Members. One hon. Member on one side is making a very responsible statement. When he was questioned once, twice, thrice, he said: "I saw it with my own eyes; I heard it with my own ears." He is only defending the need for the Preventive Detention Act against which so much has been said; if this is the conduct of X, Y, Z, not only this Act but a thousand such Acts are necessary. That is his contention. The hon. Member may proceed, and he may go on for five more minutes.

Shri A. K. Gopalan *rose*—

Mr. Deputy-Speaker: Order, order.

Shri A. K. Gopalan: I deny that statement, Sir.

Mr. Deputy-Speaker: The hon. Member is denying that statement. Let the hon. Member proceed.

Shri S. V. Ramaswamy: Sir, it was given to me to hit back, day after day, night after night. I arranged a series of meetings—maybe 20 meetings, maybe, 25 meetings—and I hit back, saying: "You shall not reach my leader unless you cross rivers of blood flowing from devoted Congressmen like me. You shall not reach my leader unless you climb over mountains of corpses of Congress workers like me. (*Interruption.*) The public revolted to their attacks upon my leader and gave me thousands of votes more and I was able to defeat them easily. If my hon. friend says that the area of personal freedom is restricted in this country, I challenge him to tell me: Is there any other country in the whole world where a leader of a great party, where a Prime Minister of a great nation is treated in this manner and referred to in such demeaning terms?

Shri A. K. Gopalan: Imagination.

Shri S. V. Ramaswamy: I am a barrister of 22 years' standing, and I will prove it to the hilt. This is not the way in which we should behave. And if this goes on, as you put it, not only this Preventive Detention Act, but a thousand more like this are necessary in this country.

Dr. Katju: In spite of the heat that has been introduced in the debate towards the fag end, I think hon. Members will agree with me that the most useful contribution has been on one aspect with which we are all most vitally concerned and in which every one of us has the deepest interest, and that is relating to the Scheduled Tribes and Scheduled Castes and the Backward Classes. Many speeches have been delivered on all sides of the House, and I found them all very profitable and very instructive and, in spite of vagaries of language uttered here and there, very constructive. I should like to say at the outset that I do not look at this problem of the Scheduled Tribes and Scheduled Castes from the angle of these classes themselves. It is a matter of vital importance to every Indian. They are our nationals, our brethren, our Indians. And they are large in number. The tribal people were stated to be about 25 millions. The number of Scheduled Castes is very large. To put it in a nutshell, I do not even like that we should try to raise them, that we should talk in that language of superiority and in that patronising manner. What I am personally anxious about, and I hope that each one of us is anxious about, is to make them feel that this India, this homeland of ours, is something worthy to live in, worthy to fight for if any necessity arises, and worthy to work for. It is not a country of any particular class; it is a country which belongs to the lowest and the meanest and the humblest, and they should take pride in that, and they should be fond of it, and they should feel, as the Constitution says, as equals with the tallest in the land. It is in that manner, with all humility, that ever since I came here I have tried to look at this problem—not only since coming here, but for the last 30 years, ever since I and millions of my countrymen and my co-workers have been working in this field under the guidance of Gandhiji. Therefore, there is nothing which should be left undone. The Constitution provides certain guarantees, makes certain reservations and provides a certain time limit. I heard one hon. Member say that that time limit should be extended. It is too early to go into it. I suggest that we need not mention this matter. Let the time come, and if the necessity is felt that further action is necessary, I have no doubt that Members of Parliament of that day will take this matter into consideration.

So far as the interest of Government in the tribal people is concerned, you had proof positive in the very successful conference that was held early this month. I was glad to listen to some quotations from the speech which the Prime Minister delivered on that occasion. I entirely agree with every Member of this House that it is grossly improper for any one, whoever he may be, no matter how highly placed, to go among these people and work among them in a patronising spirit or from a superiority complex. They are worthy people, and we must mingle with them on terms of absolute equality, and we must treat them not merely conventionally, but we must genuinely have signal affection for them.

Now, on the Governmental level many things have been done in compliance with the requirements of the Constitution. It was said by my hon. friend from Manipur—he expressed those sentiments at the conference also—that the requirements are communications, land, education and medical aid. I hope that the State Governments will look into all these matters. As the House knows, we in the Central Government make a large grant—I think Rs. 180 lakhs—for the improvement of tribal people, and it is allotted to different States in consultation for specific schemes. In addition to that something was said about the stipends. That matter was dealt with by my hon. colleague the Minister of Education. Scholarships are given for higher education here. I have every hope that if need arises, the claims for higher allocations would be sympathetically considered. It all depends upon the funds available. There is no lack of sympathy. But apart from it, there was something said about reservations in services. Now, I am in sympathy with many of the sentiments uttered. We are trying to do our best. The Constitution says, and hon. Members will agree, that while we can go up to a certain limit we cannot go excessively to very low limits because in the language of the Constitution everything must be done consistent with efficiency. I shall give you an illustration. There is an age-limit provided. For members of the Scheduled Castes, and backward classes, I imagine, the limit has already been relaxed by three years. We have taken this matter into further consideration and the relaxation is going to be from three to five years in the case of non-Gazetted servants. We considered whether it should also apply to Gazetted servants, but different considerations are applicable to the case of higher officers and we came to the conclusion that the solution did not lie merely in the relaxation of age-limits, it might lie in another direction. The House would realise that this matter any way is entirely within the scope of the functions of the Union Public Service Commission and of the Public Service Commissions functioning in the various States. Something was said here, and rightly said, that a sympathetic approach was necessary. I have no doubt that all appointing authorities bear this in mind. I also agree that we must always consider that our people of the Scheduled Castes do not have that advantage of the environment in which more fortunate people are born and bred, and due allowance should be made for that. I have no reason to fear that the appointing authorities do not bear that in mind, but so far as I can possibly do it and Government can do it we shall see to it that if there is any deficiency on that score it should be corrected. So far as higher appointments are concerned, I shall try my very best to see that competent people belonging to these tribal areas and to the Scheduled Castes have their due share.

My hon. friend, Mr. Anthony referred to the Anglo-Indian community and he raised certain points. I did not interrupt him though he was obviously talking about some matter with which we here were not concerned. He referred to certain State Governments. That was really not very appropriate because the State Governments are not here to defend themselves. I agree with what was said about the schools—the Constitution also refers to it. I have had the advantage of visiting most of these schools in Bengal—in Calcutta, Darjeeling, Kalimpong, and elsewhere. They are entitled to carry on their institutions in the manner they like. But they really must make up their minds once for all, namely that they are Indian nationals. India is their home, and in the matter of languages and in the matter of environment they must adjust themselves to changed conditions. I do not want to go into it at any greater length—my hon. friend, Mr. Anthony will probably realise what I am referring to. So far as the question of language is concerned, I really could not follow what he was saying. So far as the question of appointments is concerned it was not very fair of him to take up this point in the course of this debate. He referred to the Posts and Telegraphs Department. He referred to the Railway Department. The easiest course is to put a question. Get the figures and base your argument on it. So far as I know, it was never done. Representative figures were never stated. They say, "Well, we are not getting our due share." This is all in the air. So far as I am accustomed to in the surroundings in which I used to labour formerly, general statements never carried me very far.

Then, my friend from Ajmer, Mr. Mukut Beharilal Bhargava referred to two points, one a small point and the other of some importance, which was about the Circuit Court. That is a matter which is engaging great attention and there is a great divergence of opinion understandably, among the Advocates practising in the Punjab and the people here. So far as the Circuit Court is concerned, I should like to say at once that the Punjab High Court have taken steps to provide sufficient administrative machinery in Delhi so that the litigants in Delhi may not have to go to Simla for their miscellaneous items of work. The point that these people have to engage two sets of counsel, one here and one at Simla, would therefore be properly met.

The other point was about Ajmer. That would interest only lawyers. He said the Judicial Commissioner hears appeals up to the limit of Rs. 10,000 and that in the olden days there used to be a further appeal—as if it was a great boon and blessing; I do not share that opinion myself—to London or now to the Supreme Court here. And he said that now the limit has been raised to Rs. 20,000. When he made this remark it occurred to me that the one short answer to this was that property which is now worth ten thousand rupees was twenty years ago worth only four, and property now worth twenty thousand rupees was worth only six or seven thousand rupees, in those days. Therefore, in substance there has really been no curtailment in the pecuniary jurisdiction.

These were the substantial points raised. My hon. friend Mr. Gopalan in his very understandable sympathy for all the lower classes of people, peons, constables and all that, said "Look at these people and the higher officers". And he suggested a very simple, short remedy: cut down the higher salaries, raise the lower salaries, and you solve the question. Absolutely! I wish he would come and take a pencil and paper and work out the figures, and then he would see. I am not at all in favour of higher salaries for anybody. But the way in which it is put is absurd. He will pardon my saying so. But it is simply apt to mislead. I am all in favour of raising salaries and giving everybody a working or living wage. But if you do it, whoever may be the Minister of Finance, he will have a terrible headache.

When you come to the salaries here, there is one which has not been specifically referred to—the salary of the constabulary in Delhi. Now, I have

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got the figures. I do not know much about the police forces in the different States. But in Delhi an ordinary police constable is paid a monthly salary (basic, dearness allowance, this, that and the other) of Rs. 92 a month, plus a clothing allowance of Rs. 28 or thereabouts per annum. Now, I put it to you. You may say he ought to be paid Rs. 200. You are entitled to that opinion. But in the circumstances in which we are living in India, Rs. 92 is a fairly good sum for a constable. The head constable is getting a much larger sum. What I wish is that everybody should get a living wage. Much of the agitation is carried on in order to mislead people, to take them away from their right moorings, and make their heads rather wet and which you find rather dry these days. You will have to go the whole length. They include the primary school teachers, the police constables, the people in the Army, the men whom you referred to, the peons and orderlies, men in the Canal Department and on the land, every single servant in the Post Offices and the Railways and everyone of them. It is a big question which has got to be examined in a systematic manner and it cannot be dealt with in an airy fashion, in which my hon. friend, Mr. Gopalan did it. I respectfully submit that these were the unsubstantial points raised in this four hours' debate. My hon. friend said that mine was a gay Ministry and he referred to me as the Minister of the Interior and being rather new to this House, I was rather packed up—and goodness knows what may come—but the result is that my Department has to deal with Tribal Castes and tribal areas only and nothing else and the other thing is my hon. friend's eloquence. I do not want to go into it at length because there will be another occasion and another time, I hope on which I shall hear a good deal of it. Let me tell you the way in which I approach it. It is very improper to put forward one's own personality every minute in one's speech. I have spent the whole of my life in the law courts. I was also a Minister of Justice in the U. P. All this talk and these observations about the sacred right of personal liberty, freedom of speech and all that which is guaranteed in the Constitution most emphatically appeal to me. I have defended these gentlemen in the law courts many times, sometimes successfully—and sometimes it was thought they did not deserve it, but they got off and sometimes unsuccessfully and I have defended everybody. But please remember that when you refer to the many things which we use to do or became familiar under a foreign domination, we must take into consideration the altered conditions. Mr. Gopalan said that he did not like the phrase 'law and order' because it reminded him of the olden days. I will not use it.

Shri A. K. Gopalan: The Prime Minister also used it.

Dr. Katju: I will only say 'maintenance of peace and tranquillity in this land of ours.' I will not use the word 'law' because it is considered 'unlawful' but for God's sake preserve peace and tranquillity. The second big condition is this: Everybody talks of democracy. My hon. friend here referred to it and when the debate started some gentlemen over there said: This democracy is being slaughtered. The very first condition precedent to the working of a democracy and free Parliamentary institutions in a free country—I am not talking of a country under foreign domination and there different considerations may arise—is that laws must be obeyed and that every order that is passed must be obeyed. You may dislike the order completely. It may be an order under section 144 and completely unjustified. It may be a ban of a particular meeting or it may be anything but if it is passed by a regular constituted authority, it must be obeyed. Mr. Gopalan said: Oh, you drive the people to fight. The moment you begin to fight, I ask what this fight means. In a democratic country, with free Parliamentary institutions, what does fight of the people against constituted authority mean? I leave it to you to decide. It must be met. I do not want to rouse passions here. I am coming from Calcutta. I have heard a great deal there! I saw a great deal there. What Mr. Gopalan referred to may be right, may be wrong. When I heard in Calcutta of somebody's young son being shot at, my heart became as soft as Mr. Gopalan's when he went to Andhra. I do not say that you did it. The workmen are entitled to our consideration. Four people, executive managers and officers were actually caught hold of and thrown into the boilers in the factory of Jessup and Co. Mind you, boilers; imagine it. I do not know what will happen to your heart; my heart melted a little. The fact is there. I do not say that you are guilty. I do not blame you at all. I come to the basic question. If we talk of democracy, if we talk of the horrors of detention without trial and the ultimate right of every individual to go and defend himself, the condition precedent is that there must be obedience to law. If you defy the law and say, "I am going underground, I will not leave my address, I will run away to Vienna", I wish you could;

but, all this talk of democracy is not open to you. Comply with that condition.

I do not want to go into the details of the Preventive Detention Act. As the President has observed in his inaugural Address, probably, the Preventive Detention Bill will come before the House. On the last occasion, we could have passed it in the out-going Parliament. But, we thought it would be more appropriate and more dignified and respectful to this newly elected Parliament to put the matter before you and consider everything. But I do say one thing that the spectacle that we see here in this full House, you will not find anywhere in the world. We are all accepting democratic principles. We talk very glibly about totalitarian tendencies, and authoritarian rule and the Congress being bent to crush the liberties of the people. But, if they had done it in the slightest manner, you would not have been here and the speeches that you are delivering would not have been heard.

An Hon. Member: What would have happened?

Dr. S. P. Mookerjee: And you would have continued for ever?

An Hon. Member: Never.

Dr. Katju: When my hon. friend Dr. Mookerjee laughs, I am rather astonished because I have always looked upon him as a very sensible individual. Really I can make allowances for many people on this side. But, in front of me, I have always thought that I am looking at prudent, reasonable men of average intelligence.

Shri A. K. Gopalan: What is the margin here when the hon. Minister is referring to reasonable and unreasonable people on this side?

Dr. Katju: It only illustrates the truth of the saying that a man must be careful of the company he keeps.

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Dr. Katju: If Dr. Mookerjee wants, I can......

Dr. Mookerjee: Beware of your present company.

Dr. Katju: I have passed 40 years in very indiscriminate company, therefore, no fears.

Now, my time is almost over and as I have said, I had made notes. I did not want to say even these few words about the Preventive Detention Bill, but I was rather provoked by the speech that was delivered by hon. friend, the Advocate in the Supreme Court, and he mentioned one particular point, and he appealed to me as a lawyer about this Income-tax Bill. I do not want to pursue it. It is a matter for the hon. the Finance Minister, but as a lawyer, I want to ask what does a Law Court do whether it is the Supreme Court or whether it is a Court of inferior jurisdiction? It tries to interpret the law. Now, interpreting the law means it tries to find out from the language of the Statute the intention of Parliament. That is the basic proposition. And then on that question as to what the Parliament intended you have lengthy elaborate arguments going on for days and days and days, even months . It may be desirable in the public interest when Parliament is in session to say to itself: why trouble all these lawyers and all these learned judges by going into this question? If Parliament has got a clear mind of its own, it says so. Your Judges have got enormous work to do. Every Court is in arrears. It is not an encroachment on the Courts. I do not think the Supreme Court would take it in the light you have mentioned it. The Supreme Court will say: we are very grateful to Parliament because before we take up the case, we have been relieved of this difficult task of determining what was the intention of Parliament. It is not an easy matter to discover what was the intention of Parliament by the wording of the Statute, and if Parliament intervenes and says this is the law, finish, there is an end of the matter. So, I do not think there was much point in this particular argument.

Now, I should like to assure hon. Members on all sides that personal liberty, personal freedom, freedom of speech are as dear to us as to everyone on the other side. There were some cut motions about freedom of the press and freedom of speech. There was some reference made about the Press Commission. I think within a few days, I hope some time early next month, you will have the announcement about the Press Commission. The terms of reference are being considered, and we want to make the terms as comprehensive as possible, and we went to make the Commission as representative of all interests connected with the press as possible. I also hope that within the next month we may be able to announce the formation of a Backward Classes Commission. But, as I said, it is all dear to us, but hon. Members on the opposite side might read what is published in the newspapers before they condemn the Government for restricting freedom of speech I tell you quite

[Dr. Katju]

sincerely that sometimes I am astonished at my own moderation. What I read in the newspapers is absolutely false, provocative, malicious and all tending to destroy order to disturb the public peace. I do not want to point my finger to any particular meeting, to any particular group or any particular party. You may carry on your propaganda. Here we are coming from different political groups. Everyone is entitled to put before the public his own political ideology, his own political philosophy, his own political measures, but each one of us, as an Indian—I am not talking platitudes—may please remember that the times are a bit difficult. Even this very morning, my hon. friend Mr. Gopalan moved a motion for adjournment. He said "Here is the third war, what are the Government going to do?" Now, the times are critical, serious—or rather I would withdraw the word 'critical'—I would say that they are fairly serious in the present world context. What is the duty of an Indian, be he a Congressman, or a person belonging to any other party? Is he doing a patriotic thing if he acts or behaves in a manner which is calculated to disturb the public tranquillity and peace in this land? Is he acting in a patriotic manner if he is trying to rouse passions, communal or otherwise, if he is trying to raise classes, one against the other? Is he acting in a patriotic manner, if he is doing all these things? I should like to leave it at that.

I should once again like to express my gratitude to all the hon. Members who spoke about the Scheduled Tribes, and the Scheduled Castes, and their problems. I have greatly benefited by them, and I do hope that out of the conference that was held on the tribal people, and also out of this debate will emerge something useful, something constructive, and something which will benefit these classes very much.

Mr. Deputy-Speaker: I shall now put all the cut motions to the House, together, unless any hon. Members want to have any particular motion put separately.

Some Hon. Members: We would like to have cut motion No. 707 put separately.

Mr. Deputy-Speaker: The question is:

> "That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The House divided: Ayes, 68: *Noes,* 227.

Division No. 6] **[6-7 P.M.**

AYES

Ajit Singh, Shri
Bahadur Singh, Shri
Banerjee, Shri.
Bisen Dutt, Shri
Boovaraghasamy, Shri
Buchhikotaiah, Shri
Chakravartty, Shrimati Renu
Chatterjee, Shri N. C.
Chattopadhyaya, Shri
Chowdary, Shri C. R.
Das, Shri B. C.
Das, Shri Sarangadhar
Dasaratha Dev, Shri
Deo, Shri R. N
Deshpande, Shri V. G.
Doraswamy, Shri
Gam Malludora, Shri
Girdhari Bhoi, Shri
Gopalan Shri A .K.
Gurupadaswamy, Shri
Hukam Singh, Shri
Jaisurya Dr.
Jayaraman, Shri
Kandasamy, Shri
Kelappan, Shri
Khardekar, Shri
Kripalani, Shrimati Sucheta
Krishnaswami, Dr.
Lal Singh, Sardar
Mahata, Shri B.
Matthen, Shri
Mishra, Pandit S. C.
Missir, Shri V.
Mookerjee, Dr. S. P.
Mukerjee, Shri H. N.
More, Shri S. S.
Muniswamy, Shri
Naidu, Shri N. R.
Nayar, Shri V. P.
Pandey, Dr. Natabar
Patnaik, Shri U. C.
Punnoose, Shri
Raghabachari, Shri
Raghavaiah, Shri
Ramnarayan Singh, Babu
Randaman Singh, Shri
Rao, Shri Gopala
Rao, Shri K. S.
Rao, Shri P. R.
Rao, Shri Seshagiri
Rao, Shri Vittal
Reddi, Shri Madhao
Reddi, Shri Ramachandra
Reddy, Shri Eswara
Reddy, Shri R. N.
Rishang Keishing, Shri
Sathianathan, Shri
Shakuntala, Shrimati
Sharma, Shri Nand Lal
Shastri, Shri B. D.
Singh, Shri R. N.
Subrahmanyam, Shri K.
Sundaram, Dr. Lanka
Swamy, Shri N. R. M.
Trivedi, Shri U. M.
Veeraswami, Shri
Velayudhan, Shri
Waghmare, Shri

NOES

Achal Singh, Seth
Achint Ram, Lala
Achuthan, Shri
Agarwal, Prof.
Agrawal, Shri M. L.
Akarpuri, Sardar
Alagesan, Shri
Altekar, Shri
Amrit Kaur, Rajkumari
Asthana, Shri
Azad, Maulana
Balmiki, Shri
Bansal, Shri
Barman, Shri
Barupal, Shri
Bhagat, Shri B. R.
Bhakta Darshan, Shri
Bhartiya, Shri S. R.
Bhargava, Pandit M. B.
Bhatkar, Shri
Bheekha Bhai, Shri
Bhonsle, Major-General
Birbal Singh, Shri
Bogawat, Shri
Borooah, Shri
Bose, Shri P. C.
Buragohain, Shri
Chacko, Shri P. T.
Chanda Shri Anil K.
Chandak, Shri
Chandrasekhar, Shrimati
Charak, Shri
Chaturvedi, Shri
Chaudhary, Shri G. L.
Chavda, Shri
Chettiar, Shri Nagappa
Chinaria, Shri
Dabhi, Shri
Damar, Shri
Das, Shri B.
Das, Shri B. K.
Das, Shri K. K.
Das, Shri Ram Dhani
Das, Shri Ramananda
Das, Shri S. N.
Das, Shri N. T.
Datar, Shri
Deb, Shri S. C.
Deshmukh, Shri C. D.
Deshmukh, Shri K. G.
Deshmukh, Dr. P. S.
Deshpande, Shri G. H.
Dholakia, Shri
Dhusiya, Shri
Digambar Singh, Shri
Dube, Shri Mulchand
Dube, Shri U. S.
Dubey, Shri R. G.
Dutta, Shri S. K.
Dwivedi, Shri D. P.
Dwivedi, Shri M. L.
Ebenezer, Dr.
Fotedar, Pandit
Gadgil, Shri
Gandhi, Shri Feroze
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ganpati Ram, Shri
Gautam, Shri C. D.
Ghose, Shri S. M.
Ghulam Qader, Shri
Gounder, Shri K. P.
Gounder, Shri K. S.
Guha, Shri A. C.
Gupta, Shri Badshah
Hari Mohan, Dr.
Hed ,Shri
Hembrom, Shri
Iyyunni, Shri C. R.
Jagjivan Ram , Shri
Jain, Shri A. P.
Jajware Shri.
Jangde, Shri
Jayashri, Shrimati
Jena, Shri Niranjan
Jha, Shri Bhagwat
Joshi, Shri Krishnacharya
Joshi, Shri Liladhar
Joshi, Shri M. D.
Joshi, Shri N. L.
Joshi, Shrimati Subhadra
Jwala Prashad, Shri
Kajrolkar, Shri
Kakkan, Shri
Kale, Shrimati A.
Karmarkar, Shri
Katham, Shri
Katju, Dr.
Keshavaiengar, Shri
Keskar, Dr.
Khan, Shri S. A.
Khedkar, Shri G. B.
Khongmen, Shrimati
Kolay, Shri.
Krishna Chandra, Shri
Krishnamachari, Shri T. T.
Kureel, Shri B. N.
Lal, Shri R. S.
Lallanji, Shri
Lakshmayya, Shri
Laskar, Prof.
Lotan Ram Shri
Madiah Gowda, Shri
Mahodaya, Shri.
Majhi, Shri R. C.
Majithia, Sardar
Malaviya, Shri K. D.
Malliah, Shri U. S.
Malvia, Shri. B. N.
Malviya, Pandit C.N.
Mandal, Dr. P.
Masuodi, Maulana
Mathew, Prof.
Maydeo, Shrimati
Mehta, Shri Balwant Sinha
Mishra, Shri L. N.
Mishra, Shri S. N.
Misr
Mohd. Akbar, Sofi
More, Shri K. N.
Musafir, Giani G. S.
Muthukrishnan, Shri
Nair, Shri C. K.
Narasimhan, Shri C. R.
Naskar, Shri P. S.
Natawadkar, Shri
Natesan, Shri
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Nesamony, Shri
Neswi, Shri
Nevatia, Shri
Nijalingappa, Shri
Panna lal, Shri
Pant, Shri D. D.
Parmar, Shri R. B.
Pataskar, Shri
Patel, Shri B. K.
Patel, Shri Rajeshwar
Patil, Bhau Saheb
Patel, Shri Shankargauda
Pawar, Shri V. P.
Pocker Saheb, Shri
Prabhakar, Shri N.
Prasad, Shri H. S.
Rachiah, Shri N.
Radha Raman, Shri
Raghubir Sahai, Shri
Raghunath [illegible]h, Shri.
Raghur[illegible]ah Shri
Raj Bahadur, Shri
Ram Das, Shri
Ramaswamy, Shri P.
Ramaswamy, Shri S. V.
Ranbir Singh, Ch.
Rane, Shri
Rao, Diwan Raghavendra
Rao, Shri B. Shiva
Reddy, Shri H. S.
Reddy, Shri Janardhan
Reddy, Shri Viswana[illegible]
Roy, Shri B. N.
Rup Narain, Shri
Sahu, Shri Bhagabat
Saigal, Sardar A. S.
Sakhare, Shri

Saksena, Shri Mohanlal
Samanta, Shri S. C.
Sanganna, Shri
Satish Chandra, Shri
Sen Shri P. G.
Sewal, Shri A. R.
Shah, Shri R. B.
Shahnawaz Khan, Shri
Sharma, Pandit Balkrishna
Sharma, Pandit K. C.
Sharma, Prof. D. C.
Sharma, Shri K. R.
Sharma, Shri R. C.
Shivananjappa, Shri
Shobha Ram, Shri
Shukla, Pandit B.
Singh, Shri H. P.
Singh, Shri L. J.
Sinha, Dr. S.
Sinha, Shri A. P.
Sinha, Shri Anirudha
Sinha, Shri C. N. P.
Sinha, Shri Jhulan
Sinha, Shri N. P.
Sinha, Shri S.
Sinha, Shri Satya Narayan
Sinha, Shri Satyendra Narayan
Sinhasan Singh, Shri
Sodhia, Shri K. C.
Somana, Shri N.
Subrahmanyam Shri T.
Suresh Chandra, Dr.
Telkikar, Shri
Tewari, Sardar R.B.S.
Thomas, Shri A. M.
Tivari, Shri V. N.
Tiwari, Pandit B. L.
Tiwari, Shri R. S.
Tiwary, Pandit D. N.
Tudu, Shri B. L.
Uikey, Shri
Up
Upadhyay, Shri Shiva Dayal
Upadhyaya, Shri S. D.
Vaishnav, Shri H. G.
Varma, Shri B. B.
Vartak Shri
Venkataraman, Shri
Vijayalakshmi, Shrimati
Vishwanath Prasad, Shri
Vyas, Shri Radhelal

The motion was negatived.

Mr. Deputy-Speaker: I shall now put all the other cut motions to the vote of the House.

The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Delhi' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Police' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Demand under the head 'Ministry of Home Affairs' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the respective sums not exceeding the amounts shown in the third column of the Order Paper in respect of Demands Nos. 54, 56, 57, 58, 59, 60 and 120 be granted to the President, out of the Consolidated Fund of India, to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of the corresponding heads of Demands entered in the second column thereof."

The motion was adopted.

[*As directed by Mr. Deputy-Speaker the Motions for Demands for Grants which were adopted by the House are reproduced below.*—Ed. of P.P.]

DEMAND No. 54—MINISTRY OF HOME AFFAIRS

"That a sum not exceeding Rs. 74,63,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Ministry of Home Affairs'."

DEMAND No. 56—DELHI

"That a sum not exceeding Rs. 84,84,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Delhi'."

DEMAND No. 57—POLICE

"That a sum not exceeding Rs. 46,40,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Police'."

DEMAND No. 58—CENSUS

"That a sum not exceeding Rs. 12,46,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Census'."

DEMAND No. 59—MISCELLANEOUS DEPARTMENTS AND EXPENDITURE UNDER THE MINISTRY OF HOME AFFAIRS

"That a sum not exceeding Rs. 6,01,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Miscellaneous Departments and Expenditure under the Ministry of Home Affairs'."

DEMAND No. 60—ANDAMAN AND NICOBAR ISLANDS

"That a sum not exceeding Rs. 1,05,39,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Andaman and Nicobar Islands'."

DEMAND No. 120—CAPITAL OUTLAY OF THE MINISTRY OF HOME AFFAIRS

"That a sum not exceeding Rs. 15,90,000 be granted to the President, out of the Consolidated Fund of India to complete the sum necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1953, in respect of 'Capital Outlay of the Ministry of Home Affairs'."

Mr. Deputy-Speaker: All the Demands under the Ministry of Home Affairs except the Demand relating to 'Cabinet' are carried.

The House now stands adjourned till 8-15 A.M. to-morrow.

The House then adjourned till Quarter Past Eight of the Clock on Thursday, the 26th June, 1952.